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Very respectfully
Your Ob't Servant
Wm H Wharton.

Steam Boat Cashita
near Augusta Sy Sium 11th 1836

Sir

Sir Sir

Sir Sir

Sir Sir

Sir Sir

Sir Sir

peace those fertile lands, which then have to decay owing to the poor and privations consequent upon the colonizing of a wilderness. So to please and gratify I believe the recognition of our Independence will certainly be obtained I shall not at present much hope of our Union restored That position when proposed will ageleb that union more than did the attempt to restore conformity subjugation and abolitionism all combined to do to the union nobody commands even out the prospect of our annexation The Southern papers those in favor of the measure are acting most unwisely in their boasting of the [illegible] bravery the nettle out we must [illegible] such a thing the following to attend to the more important ones such as the Northern & Charleston Mercury &c The South must show better the Union with Texas added or no Union. That will be added either peaceably or forcibly and Northern influence & threats and denunciations to the South will not determine [illegible] the question and [illegible] if engaged In the mean time what we want [illegible] to advance, you may possibly say that I am handling [illegible] and timidly in the present [illegible] to the South are eighty to [illegible] Texas is Texas in spite of [illegible] and [illegible] can make them That must be admitted I speak in [illegible] I say will not be termed Dictation [illegible] but you been [illegible] to Jesus who was exalted and Socrates that was crowned Both I was to say is this, if we can get all our power into [illegible] conclusion of these, Self preservation will be my first [illegible] we immediately commence an active system of [illegible] we have our territory, that we guarantee upon them and [illegible] experience the ravages and calamities which they are [illegible] upon us Look at the history of Old Spain and it will but [illegible] that the Mexicans [illegible] largely of the Spanish [illegible] and obstinacy, Old Spain is famous for never granting anything [illegible] of her wrongful dependencies Just so will it be with Mexico I long to the battle between us and her are to be fought on Texas I long till She refuses to concede us any thing, when they are ready to come on vast numbers, they will invade us and when they cannot come with an [illegible] will remain at home, for it be for years at a time, In the mean time we will be compelled to keep up a Standing army which we cannot do in our mind 1st on account of the expense and 2d the restless spirit of our race will not submit to the inaction of a Garrison life, as I before said, if peace is not to be obtained by annexation or other means, nobody will compell us to commence an offensive war, as soon as that act is known and circumstances as annexation is extremely doubtful we should be perhaps necessary [illegible] with is that we may be by the 1st of March on the West of the Sabine with a sufficient force with reinforcements to follow, that funds can be had & with funds you know, we can muster an army of any size that may be necessary do think on this and write [illegible] suggestions in the spirit in which they are meant.

And now an estimate of our public debt it is indispensable, Are you not greatly in error in estimating Texas at 100,000 Square miles? you certainly must be, You say that an objection may be urged against adopting the Rio Grande as our western boundary on account of its including many of the Mexicans of New Mexico and other States, this cannot be obviated, it appears to me in a way that will give us the navigation of that River as high up as it is worth any thing and at the same time take in no Mexicans of consequence, If I recollect aright there are very few Mexican settlements on the east of the Rio Grande from its mouth to the Paso del Norte, Let them

the Sine commence at the mouth of the Rio Grande, and continue up the middle of that stream to the Paso del Norte or to where the Mexican Settlements commence on the east bank, thence with the mountains your Agents of leaving all the valley of the River above to Mexico, do write more promptly and fully on this subject.

God Chambers will hand you this and will give you recent information in further explanation of what is herein contained. His generous sacrifices of much of his own estate to procure men and means for our country, his his indefatigable energy and perseverance, his courage and promptitude in exposing and silencing those calumniators of our cause (Allen &c) are all worthy of all honor and praise, and have secured for him the universal approbation of this whole Section of country. I trust that in Texas his services will be long remembered and properly rewarded.

I have the honor to be Gen[l] &c
Wm A Wharton

despatch No 1.

Washington City Decem[r] 23[d] 1836

Wm A Wharton Arrival in Washington.

To the Hon Sec[y] State &c

I arrived here on monday the 19[th] and immediately addressed the Secretary of State the following note No 1 by the hands of Col Wolfe

National Hotel Washington City
Decem[r] 19[th] 1836

Sir

I have the honor to inform you that I have just arrived in town with Credentials from the Republic of Texas and request the pleasure of an interview at such time and place, as you may designate, for the purpose of unfolding "viva voce" the nature his Arrival and object of my mission

To Mr Forsyth announcing his Arrival

I would have herewith communicated a copy of my letter of Credence and also of my plenipotence, but for the conviction that it would be unusual to do so before the independent existence of the Government I represent had been formally recognized

I have the honor to be
With Sentiments of high consideration
Sir
Your Ob[t] Serv[t]
William H Wharton

To the
Hon John Forsyth
Sec[y] of State.

In answer he stated verbally to Col Wolfe that he would do make it his business to see the President immediately on the Subject and would let me hear from him on Wednesday the 21st On Tuesday the 20th I called on the President who informed me that he directed Mr Forsyth Secretary of State to see me on that day, and late in the evening of that day I received from him the following note.

Department of State.
Washington City Dec[r] 20[th] 1836.

Sir

I am directed by the Secretary of State to inform you that he will be happy to see the Hon Mr Wharton informally whenever he may choose to call at the department.

N. O. Dayton to I. M. Wolfe

I have the honor to be Sir
Your most Ob[t] Servant
N. O. Dayton

To Col I M Wolfe

As soon as business hour arrived on the next day Wednesday, I called

Interview with Mr Crowther.

Despatch sent with Mr Forsyth what to be treated as informal interview of more than an hours duration. The most I could get out of him was that the President would send a message to Congress on the Subject of Texas in a few days. I told him that I wished to communicate to my Government immediately the result of our interview and wished to say something to it- that was tangible. He answered that all I could now communicate was that the President would in a short time lay the Texas matter before Congress, & then urged him to believe this communication of the President. He promised to do so & that it would be made in all this week, with this explanation. At several times during our interview he stated that the President would be glad that we would get our recognition elsewhere first, and asked me if I was not over-powered to procure to England. I answered him in the negative. I asked him why he thought so. He replied from the report of our committee on foreign relations. I asked him why the President wished us to obtain our recognition elsewhere first. He said that our vote for annexation embarrassed the matter. That if after that vote the United States were to recognize Texas too promptly it would have assisted in producing arrangement with which the United States had been frequently charged. That it would have as if the United States were recognizing Texas to negotiate her a conquered contracting party, for the purpose of immediately annexing her.

I am satisfied that Mr Pettits report is very unfavorable, but Jackson will battle putting it out of my power to do justice with him, & truly unfortunate, when his communication is made, I will write to you immediately. In the meantime I am forced to fear the worst in regard to the nature of it. You have doubtless heard of the new invasion of Texas said to be intended by Mexico, this had given our enemies an excuse for delaying our recognition. It happened at a most unfortunate period for us, The former causes of complaint that existed both with which we were commissioned still exists, namely never hearing from the Government of Texas I dispatched an immediate note to this, depended not upon Merchant Vessels for a transmission of your correspondence with me. Send an express by land every week, if you only have to say "all is well" I will pay the expense of the Express. I have been already much embarrassed for want of timely information, every body knows more of Texas and Mexico than I do, for I have not received a line from the Government since I arrived.

I have the honor to be Yours &c
Wm H Wharton

Wm H Wharton relative to the President's Message &c

"Despatch No 2"

Sunday June 28th 1836.

To The Hon
Secy of State
Sir.

The President's message relative to Texas has been communicated and has surprised every body. It has failed to excite "invasion" except perhaps the abolitionists, many of the administration friends dislike the delay recommended in relation to our recognition, speculations are various in regard to what prompted the President, to take this course, some say it was the work of Mr Van Buren for the purpose of transferring the responsibility from the administration to Congress and that the President will recognize immediately if Congress recommends it. by xxxx a majority I am sure. A third say from the dissatisfaction & departure of Govr Tazewell on account of the movements of General Gaines that the united States apprehended difficulties with

However, could do not wish to give this new cause of offence. Viz, recognition, believing that it will be difficult enough to explain to the world the causes of dissatisfaction already existing. Others say that the administration expect to acquire Texas by Treaty with Mexico. Some and that remove all cause of complaint. Others say that Santa Anna, is still viewed as President of Mexico. That he is shortly expected here and that if he treats with our recognised Texas, The administration here will recognize and guarantee the Treaty. I am at a loss to conjecture the true cause of the movement. Congress will probably recommend a recognition in the course of a month. If so, I think it will be made. I have not yet seen Morfit's report although I have no doubt of its being extremely unfavorable. I will send it as soon as it can be had, and if it contains any misrepresentations, you will certainly have them disproved immediately, and the disproof forwarded to me to be used here in our defence. Governor McDuffie's message has produced an universal astonishment, but General Hamilton has completely nullified and repudiated it in his report in the Senate of South Carolina all of which are herewith sent.

The report of a new invasion of Texas by Mexico under Bravo has given an excuse for a delay of our recognition which our enemies do not fail to urge. The Prisoners made Santa are detained still in New York for debt. I have no instructions to release them and no instructions on the subject. all that I can do will be done for their detention. and as at this time particularly a grand jury, the amount is about 24000 Dollars as the accompanying documents will shew.

I suffer Crucifixion for want of any information from our Government. I have not as yet received a single Letter from Texas, do write frequently and give me explicit information and instructions on every subject connected with my mission. I have suffered much and am still suffering with a violent inflammation, as soon as I am able to go out, I will endeavor to have a Secret interview with the British Minister in accordance with my instructions

I have the honor to be Sir
Your Ob
Wm H Wharton.

Monday December 26th 1836.

P. S.

I have delayed this despatch, for the purpose of sending a copy of Morfits report along with it.

I have hastily glanced over it and merely conceive that if his facts are taken for granted and his premises and deductions are discovered, the report will do us no material disservice. There are however some egregious errors which you will readily perceive. The virtue of my influenza has not yet abated.

I have had great attention paid me by the members of both Houses of Congress

To: The Hon'ble Sec'y of State
Sir

Despatch No 3.

Washington City 31st December 1836.

Up to this moment I have not received a single line from Texas, although I have seen in the mobile papers an extract from the Texas Telegraph published near two weeks after my departure, could not the same courier have brought me a Telegraph and also a letter from you. I implore you again, again to write to me more frequently at least once a week. You know it is harrassing if it is to be asked fifty times a day, what news from Texas & to be unable to reply. I have has no despatches, I have received no communication what our Government expects from Santa Anna, or how we are to treat with him &c &c &c

Secretary, and all the Ministers and Military are warmly our friends and the Whartons strictly disposed. the delay in recognizing our Independence recommended by the Letters to President, many of them wish to obtain the sense of Congress on the subject. Even hereafter of having that a majority will recommend to the President our immediate recognition recognition by and if so that it will take place instantly

I have received three letters from Mexico relating to me the United States on the subject that my Colleague and with the exception Friends of this Government and that any attempt on my part to obtain from a decision of that branch to Congress on the people would be highly indelicate and injurious to the cause of Texas, and therefore, I could not and would not interfere. At the same time I have that unfavorable Impression not to bring the subject before congress unless they were absolutely certain of success for that a failure would be ruinous, with a few leading devoted confidential friends and a very few others. Such was full freedom. So it proved to be. Every Minister and Secretary duly received I learned decision the two preceding & urged my friends to follow my example as laying a basis and foundation for recognition. The mingling of the two questions at issue might defeat one or the other recognition if pressed, or even bring both of annexation, one every reason to Secretary and Minister Walker, Lord Aberdeen & Pelton are sure fear that the delay in recognizing will operate injuriously in Texas & will produce dissatisfaction in the Government, to annex or else to continue its Existence as a State that our President & Cabinet and people will bear it with fortitude, Have it no earthly pretext for the delay, but the one avowed under Peace, if that should reach Texas or should from disaffected, negotiations will immediately open here and be dry with the fullest confidence and satisfaction on the other of that Republic. Texas Stands mountains high here for heroism and magnanimity and our renown as low as can possibly be imagined. The Speech of Santa Anna has redounded greatly to our character, none have dissapproved of it all concur in the propriety of our being ready to act on the Mission in the Spring as recommended in my letter from Brazoria, by Genl Chambers,

The President is made better disposed to assist to annex Indemnity, I have said that the prospect of the one immediate favorable the only pretext for delaying one more session, & mean that time in the interest that can be given to the Measure for the step, & not I am quite aware that as strong but fresh reasons for delay, if the expected arrival of Santa Anna and the prospect of a Treaty with new orders and Secretary of State & more and at the same time Save the United States Government in the end of the month from all imputation of having aided in our revolution or of having recognized us too precipitately, this reason of course will be done for duration of the desirable result, namely recognition or withdrawn to with a view regard and reasonable reliance on that on promises claimed have certainly been most reasonably complied. Still I have very confidence that our recognition will certainly take place during this Session unless the army should be disturbed on this occasion which is hardly to be apprehended from a moment anticipated from breach of Treaty too, there is no reason to believe that any other power would treat us more kindly, our failure to succeed at this Court which is now of Treaty engagements with our political condition would be an argument against us at a remote one with ignorant of our situation,

The President to this time most friendly disposed & Sam Williams & myself have offered to pledge all we are worth for the return of the Treaty. The negotiation is not yet effected however.

I trust that Lord Aberdeen will be assembled Secretary of Legation & that his wife duties will soon commence, independent of his indefatigable labors in our cause for more than a year, since being connected with me in this mission, his constant and attentions have been most necessary & his services invaluable, indeed I could not half get along without him.

I have the honor to be,
Your Ob Wm H Wharton.

Mr. Forsyth's relative to an interview with Mr. Forsyth on the subject of our recognition &c.

To the Hon.
Secy. of State,
Washington.

Extract No. 24.

Washington City January 6th

Not a line from Texas since my last to that state, how long must this continue to be the beginning middle & end of my communications, how long must I be compelled to suffer the great embarrassment which this silence of the Texian inflicts upon me.

On the day when yesterday the Hon Mr Forsyth addressed me a note requesting an interview informed of which was accordingly had at the department of State. I attended punctually, and he informed me that the object of the interview was to lay before me, a dispatch which this Government had just received from Mr Murdaw Burnidge minister Plenipotentiary near the Court of England, and to state that in obedience to instructions he had made a special application with the Texian Secretary Lord Palmerston in relation to the part which England was disposed to take in the war between Texas & Mexico, that Lord Palmerston of Mexico had not responded to England for aid and intervention & he informed his Lordship very promptly that the United States would not permit the interference of any European power in that quarter. His Lordship replied that Mexico had applied indirectly, but that his Government had positively intended to listen to any proposition on the subject that England would not in any way interpose or interfere & that she was entirely satisfied with the neutral course pursued by the Government of the U S since the commencement of the Texian revolution. Mr Forsyth authorized and directed me to communicate the purport of this dispatch to my Government. Similar opinions have been expressed by Mr Fox the English minister near this Court & it is believed by those who are best informed on the subject that England entirely disclaims the intention of Texas to find asylum & protection & is entirely friendly & disposed to extend it without objection or murmuring, not from Mr Forsyth but from all Texas equally official. I have heard & read that the French Government left the same view of the matter. The French minister made during the last session that his Government had no more right to interfere in regard to Texas than had the Government of the United States to interfere in the affairs of Belgium or any other country bordering on France, he it stood that the fear of offending foreign powers and no longer permit this Government from recognizing or inducing annexing Texas.

In the course of conversation I asked Mr Forsyth if he thought that a treaty of annexation would be ratified by Congress after our recognition. I told him that since admitting we were recognized by this Government. Yet if we were not annexed, if we had to remain independent, we but entirely demanded that we should be assisted of the fact as soon as possible that we might immediately proceed to establish diplomatic relations with England France &c. for the purpose of procuring our recognition. Fearing that of Amity Commerce &c. I by that what I am about to state as occurring between myself and Mr Forsyth & the President will be considered as secretly confidential. Not for publication or if under any possible circumstance would be extremely embarrassing & indeed unfavorable for some time to come. Mr Forsyth replied to me that various conflicting sectional interests in Congress would have to be reconciled before annexation would be agreed to. I answered that I was well satisfied of that & the object of any question was to learn from him whether or not the administration after calculating & weighing prudently had no doubt he had come to all the objections attached a state of annexation would by this Government would be ratified by Congress. He answered in the affirmative but said he thought it would be done under the administration of a Northern President & Congress. This you see is a free summary of the subject of annexation Congress probable.

duly consider whether the issue of the question of annexation is not too distant and much doubtful to justify the postponement of the institution of diplomatic relations with other powers until after it shall have been decided. It is said by many & not without foundation that Mr Van Buren himself is anxious to have the glory of annexing Texas under his administration. I am myself compelled to believe that Mr Van Buren is in favor of annexation & that nothing under heaven, but the opposition of Texas can postpone it longer than two years at furthest. I predicate my opinion upon information of Mr Van Burens views derived from his most intimate & confidential friends, also upon the general tenor of the Northern Statesmen.

The Northern Statesmen & Journals will of course always oppose annexation, but the northern Statesmen who conduct the interest of the Constituents as much as any other people clearly perceive that even with the present limits of the United States, the preponderance of political power will soon depart from the North & permanently reside in the South & West, whenever the North has one & forever both her political ascendancy she will not object to an almost indefinite extension of the agricultural interest of the South and West for the North will in that case become the Carriers & Manufacturers of a more extensive region which is all that they then will or need aspire to. Again this Government cannot & will not consent to see an independent State bordering coterminously existing contiguous, consuming as they will, the Manufactured of Europe alone & producing a formidable rivalry to the Cotton & Sugar growing interest of Louisiana & Mississippi & the whole South. I have other reasons rendering this belief unnecessary to be detailed here, to be brief. I believe that the union will dissolve Should the north obstinately oppose the annexation of Texas. The north knowing that & knowing that they would be the greatest sufferers by a division, that their misfortunes would in deed entail no mortal, that their Carrying trade would be greatly curtailed, in deed the north finding that they would well nigh starve, would be forced war at against them will, into the measure. I have given it as my opinion that annexation cannot be postponed longer than two years unless the people of Texas themselves oppose it. The question for us is will we, or can we wait three two years? I design writing, it my business to see Genl. Jackson on the subject to day, I will endeavor to ascertain his opinions, by telling him what I believe to be true, that there is a will to postpone the question of annexation, until after this Session, & thereby rob him of the Glory of the measure we understand me. I do not in common conversation ever hint at annexation now, nor will I until recognition is secured, but with friends of undoubted confidence & expanded views I freely discuss the question in all its bearings.

I will now proceed to State to you a confidential interview had with the President at his own request Immediately after the appearance of his Texas Message, I proceeded as many of his friends & those friends of Texas to visit him as I could, to explain to him their Surprise & the unusual surprise at the appearance of such a message coming from him and also to detail upon the imminent injury which it inflicted upon Texas so far as her finances & credit were concerned. He became at once satisfied & dissatisfied with the position in which his Message placed both him & Texas my object was to obtain his assent to a more ample Communication by his friends recommending to him the immediate recognition of our Independence, to this I have succeeded after many interviews between him & our friends on the subject of his Message. I called on him by direction to this request, & soon as we met, I commenced addressing him in terms of Sorrow that his Message had done us as much injury as he could for fully do us, unless he were to make his Army with Mexico & invade us. that it struck at the root of our credit. that without recognition we were tugging off our public

Lamb with great difficulty obtained from them, that with it we could dispose of any quantity at one dollar per acre, that we could get what description we wanted build vessels here with recognition, That we could immediately negotiate our 5 millions loan &c. That he was mistaken in supposing that a delay to recognize would do neither party any harm, of course it would do Mexico no harm, that it would please and animate her, That the mission would have his message printed on Saturday & circulated throughout the country, that it would determinate our friends. That nothing but God himself could defeat our ultimate independence, but that his message would make our roads to the attainment of it longer and more thorny. I added him if he did not conceive us a "defacto" Government with ample physical ability to maintain our independent national existence, This he did not pretende to question, I told him that we in Texas unanimously thought that this was all that he would enquire into & finding this to be true that we would forthwith assert it & recognize us regardless of what Mexico or England or any other power might say.

He replied that the object of his message was to obtain the concurrent action of Congress on the Subject. I answered, a majority of Congress were in favor of immediate recognition, but that many of the administration party for now asking for fear of its being considered "after his Message" as an attack on the administration, he said that that was all foolishness, he doubted the power of the President to recognize of himself, he wished the sense of Congress on the subject & would immediately convene if a majority recommended it. this was all I wanted. His friend will move on the Subject during the coming week, unless Something extraordinary occurs. I hope & believe all will go well & we will be recognized. During the conversation he observed that Santa Anna was still President of Mexico & that if I could make a treaty with him especially through the Chargé des affairs of Mexico now at Philadelphia, that it would be valid. I answered that our claims for recognition were predicated upon higher grounds than on any thing Santa Anna could or would do, but that of course I would make all out of him that I could in regard to recognition powers. I observed that we claimed it as a right on the score of our being a "defacto" Government with ability to maintain ourselves & that I respectfully conceived that this Government was bound in justice & in accordance with former usages to extend to us the favor justice of a recognition without reference to anything Santa Anna could or would say or do. He then parted, I repeated again and again, that Genl Jackson impressed upon me the importance of the most sacred confidence in regards to our interview, which I hereby wish to impress upon you. Mr Forsyth exhibited to me a complaint of the master and some other officers of the Big Packet which must be attended to. I told him it was all fair & that I would lay it before our Government & obtain a history of the whole transaction. A Dr Flanin herewith sends you an invention of his own in reference to rail ways Canals &c. He wished a patent from our Government. The complaint I alluded to are about vexations to this Government in regards to the African Slave Trade, had already, silenced our tradeers and rendered us great service.

I have the honor to be
Yours
W. H. Wharton

T. A. Shaston relating to an interview concerning recognition & Indian relations &c.

To Mr Forsyth requesting that the U States troops remain at Nacogdoches

To The Hon Secy of State.

Washington City Jany 10th 1837.

Sir

I have the honor to acknowledge the receipt of your official communication of the 10th ult and of a private one of the 12th ultimo. These are my first and last accounts from Texas since my departure, in obedience to your instructions I immediately addressed Mr Forsyth the following note, enclosing at the same time your dispatch No 3,

Washington 11th January 1837.

To The Hon
John Forsyth Secy of State.

Sir

I am instructed by Despatches just received from my Government, that certain tribes of Indians dwelling within the limits of the United States especially the Caddoes meditate an invasion of the Territory of the Republic of Texas. In consequence of this I am instructed to request & entreat that the United States troops should continue their occupation of Nacogdoches or some other convenient point on the frontier, believing that this Government can in no other way promptly and adequately fulfil its treaty obligations to restrain its Indians from committing hostilities within our territory. In conclusion I wish it distinctly understood that the continued occupation of Nacogdoches or of any other point West of the Sabine will settle nothing one way or the other in relation to the boundary between Texas and the United States. That it is our wish and expectation to have established in perfect accordance with the treaty of 1819 between Spain & the United States

I transmit through the hands of J. A. Wolfe Esq a portion of the evidence on which this Communication is predicated

I have the honor to be
Your Obt Wm H. Wharton

Mr Forsyth returned the despatch through the hands of the Attorney General with a copy of the instructions of the war Department to the officer commanding on the Texas Frontier, he stated that this Government had already taken and would continue to take ample measures to restrain its Indians from committing extra territorial aggressions in contravention of its treaty obligations

I am satisfied from conversation with the President & Secretary of State, that there will be no vacillation on the part of this Government in regard to this delicate & important subject. I have exhibited as you requested my general instructions to the President & Mr Forsyth, they appeared well satisfied with them. I asked the President if there was any thing unreasonable or objectionable in my instructions. He answered No. I asked him if after our recognition this Government would turn a favorable & willing ear to the subject of annexation telling him that although we were recognized yet if we were not annexed we would of course be compelled to institute diplomatic relations with other powers which we had not, as yet done, on account of our expectation of being annexed. He answered hastily to about this effect, after your recognition there shall be no delay on my part in regard to any other matter necessary to be discussed or settled between us; at this our interview & conversation was interrupted but not stated. There is no unwillingness to talk about annexation until after recognition, after that I will not fail to press the matter so as to have it if possible decided under General Jackson's administration. Now in regard to Recognition, I have been ashamed to have it brought forward ever since I ascertained it would meet the President's wishes if Congress recommended it. I have had a formal interview with the committee

of Foreign relations of the House of representatives, they propounded to me a thousand interrogatories & I trust that my answers elucidated & strengthened our claims to an immediate recognition. the tables of the members have groaned with pamphlets written by the abolitionists for the purpose of injuring & calumniating Texas. Besides many small essays, I have published a Pamphlet signed Jefferson which puts the matter in a proper light & which has done great good. I herewith send some copies of it.

I have been much with our friend Mr. T. I Walker of the Senate from Mississippi. He is high in favor with the departing & the coming administration & had introduced a joint resolution recommending our immediate recognition which is made the special order of the day for wednesday. I have no doubt of its passing but politicians you know cannot be firmly calculated upon & I may be doomed to experience a disappointment, but I cannot & will not believe it, until I see it, "sufficient unto the day is the evil thereof" after Wednesday you shall again hear from me.

Yours &c
Wm H. Wharton.

January 17th 1837.

Arrival of Col Bee & Almonte.

"I have just received this communication to say that Col Bee & Almonte have just reached this place. They came in the night & day stage & left Gen Santa Anna, Col Hockley & Capt Dade between this and Washington. They are travelling in a private carriage & may be expected here tomorrow. Col Bee states that Gen Santa Anna had been well treated on his journey, & had made quite a favorable impression wherever he had been. The Col had every confidence in his doing all that he can to bring about peace between Mexico and Texas on the basis of the independence of the latter, I will be able however to know positively his disposition on that subject in a few days. I really regret that you have given me no instructions in relation to any negotiations between Santa Anna & myself.

I have the honor to be
Yours &c
W H Wharton

"Copy" No 6

Washington City 2d Feb 1837

Sir

Not having heard of the appointment of a successor on the subject to the department of State to the Hon. Genl Austin, I take the liberty of addressing this despatch to you, and will ad my last by the hand of Gilly Patton.

Recognition & Annexation

In my last I stated that there would be no action by Congress on the subject of our recognition, until the arrival of Judge Ellis late Charge d affaires from that Government to Mexico, who was recalled his passports and a new Minister expected here. The result has shown the correctness of my anticipations, although the question has been frequently urged by our friends, the Committee on foreign affairs have refused to report, and Congress of course had not acted upon this subject, for they will not act without a report from the Committee, Senator from Md. Judge Ellis has arrived and the Congress is disposed to do us justice information will warrant an immediate recognition of our independence, Ellis states that matters present a most deplorable picture of anarchy, civil and Military, that the Mexicans are totally unfit for the inability to raise horses &c from the want of harness &c after they are raised.

&c &c &c

by the President in his Special message was [illegible] the impression would, under no circumstances be naturally disposed that Texas could, under any circumstances that there was nothing to prevent an immediate recognition at this moment. Now is there in the administration of the President anything new, disposed to take a favorable view of the subject. The President is entirely unadvised and explicit in his views for he told me to see the Chairman of the committee on foreign relations which I have done, and to tell him that Judge Ellis of Ky before the Committee would communicate to him in five minutes of the entire impression of the new invasion. It may Dear Sir, after all this, Congress will not act without another Message from the President, which he is not disposed to give. I do not believe he dare do it unnecessary as he says. That the call for it by Congress is with a view to screen themselves from responsibility, and to throw it upon him to qualify them. I will now tell you the whole secret of the reluctance of Congress to act in this matter. I have made it my business to unravel the mystery and I know I have succeeded. Some of the members have openly avowed to me their reasons for wishing to postpone our recognition until the next Congress. I am informed from the Van Buren party. They are afraid that the Ist act of annexation will be passed immediately after recognition, that annexation or no annexation will be made the test of the election for Congress during the ensuing summer. That the north will be opposed and the South in favor of annexation. # The fear then of throwing Mr Vanburen into a minority in the next Congress induced his friends to desire a postponement of recognition at present thereby keeping down the exciting question of annexation at the next Election and giving Mr Van Buren more time to manage his cards and consolidate his strength. All of Mr Van Burens friends are not operating upon me this way, but a sufficient number are to prevent the favorable action of Congress at this Session, without a message or other influence given by the President. I do understand also that many of these same individuals are in favor of both annexation and recognition, but they wish Mr Van Buren to have his own time and speak his own mode of bringing them about, and to turn attention to him. They fear that Texas in the mean time suffer by the delay of her recognition, rather than jeopardize his popularity. There can be no mistake in regards to the correctness of the above named, all that remains for us is to operate with the President, and to get him to guarantee the action of Congress by another message. That I shall myself and day endeavor to effect by using every argument that can operate upon his pride and his sense of justice, at our interview this evening. He told me to feel easy on the subject, that all would go right. He told me moreover that he was preparing a message to Congress, in which he intended to recommend the granting of letters of marque against Mexico and that this Government would no longer submit to her injustice and outrages. It is the opinion of Mr Ellis and of the President, that Santa Anna will be overtaken in flowers, San Luis Potosi. The President says that there would be no more difficulty settling between this Country and Mexico or Mexico and Texas. We could be friends commercially with Santa Anna in regards to extending the southwestern line so as to include Texas, and that there were and would in entire accordance. I have not failed to notify this Government that Texas protested against being concluded by any treaty between the U.S. and Mexico without her full assent. The President says further assured me that he would furnish before he would be guilty of any injustice to Texas or treason to bind her without her assent.

In my last by Maj. Patton I requested that you would give me leave to return home after the riding of Congress on the ground that Mr Van Buren would not take the responsibility of anything in the way of Congress, and if a treaty of amity and

and that Mr Van Buren will of course have the support of either the South or North and Mass according accordingly as he favors or opposes annexation

consent even outside of the Senate, if could not be ratified, until the next Congress. I therefore repeat my request for leave to return home, I assure you I will not leave while there is a possibility of doing any good, and I will return or fulfill any other duties in which I can be of service, if you desire it. For I hold myself ready to discharge the labors of any office, however humble until peace is secured to our Country.

I have the honor to be with the highest consideration Yours &c

W H Wharton
by T Cathey Secy of Leg

To his Excellency
Sam Houston
President of Texas.

Washington 6th July 1837

To the Hon
Secy of State

Sir

Since my last, nothing very important or definite has transpired, but assuming your desire of being often apprised of the position & prospects of our Texas affairs, I will detain opportunity [illegible] communicate, as W. H. Wharton relative to something favorable development both seen in the House of Representatives Recognition on Thursday last. The motion of Mr Boyde of Ky to instruct the Committee on Foreign affairs to report a resolution, recognizing the independence of Texas, was first in order. Mr Cambreling moved to postpone the subject for the purpose of calling up the appropriation, which he said would consume very little time, and he added, moreover, that the Country was suffering hourly and greatly, for the want of action on this bill. notwithstanding the force of these remarks, and notwithstanding every member was convinced of the truth of them, yet seventy four sturdy friends of Texas refused to postpone this subject or to give any thing pendency of the motion to recognize our independence, and two thirds not being in favor of postponing, Mr Cambreling's motion was lost. All of this I consider our warmest friends, and I know of many equally devoted friends both of annexation and annexation who voted with Cambreling on account of the great importance of immediate action on the appropriation bill, after this the House adjourned. Friday and Saturday being private bill days Mr Boyds motion did not come up, nor will it be reached on Monday that being Fifth and unusual day. It will however be first in order on Tuesday and I anticipate and entertain discussion and a favorable decision. The Resolution adopted in my last as indicating Mr Van Burens friends to their postponement, cannot be regarded in dispute, and I am of opinion that when the subject is agitated, they will not oppose our recognition for that would be to proclaim their leader the enemy of Texas, in which light he is not willing to be viewed, especially as the friends of so much liberal & Country are so numerous and respectable and reasonable in parts of the country. Should Senator Preston have just adjourned now, that body will take up the subject in a few days, that body is considered certainly friendly to us than the lower House. I repeat it now, that the of the President are known to be favorable, discussion is all that we claim to immediate recognition are so palpable and prominent politicians of the South or West or of the dominant party greater, dare openly oppose it, however much he may secretly deplore the agitation of the question altogether at this session of Congress. is our consolation, which I fondly cling to my last hope and support amidst all the [illegible] which we have [illegible]

[illegible] [illegible] [illegible] [

To The Hon'ble
Thomas J. Rusk
Sec'y of State.

Despatch No 5

Washington City
12th February 1837

Sir

From your position in the Cabinet I was aware of your free access to my Despatches and have not written thereon to you but since Janry 12th Since leaving Texas I trust my despatches have arrived safely, for they are very explicite and as the intelligence they contain is disagreeable and unexpected, yet it is best as well to regulate in a degree our future action, and ought therefore to be known. To what they contain I can add nothing now except that we are still unrecognised. The subject is before both houses, but from the mass of business necessary to be acted on, before this Short Session closes from the failure of the Committee on foreign affairs to report on our case, and from the gradual decline of time to secure our recognition at this Session, we still remain in "Statu quo" I might say "ante Bellum" for so far as any official notice of our separate existence is concerned, we have not at all progressed, since the commencement of hostilities with Mexico. Now are the chances of reaching the consideration of our Independence at present 1st a report from the Committee on foreign affairs, which is very slow in coming and rather doubtful whether ever will come; 2d resolutions to recognise, which have been twice decided by our friends in both houses, and the mass of business had hitherto kept off these resolutions 3d our friends will endeavor to discuss the merits of our question, when the appropriation bill comes up, by inserting an appropriation to defray the expenses of a Diplomatic intercourse with Texas. In addition to these, I am now endeavoring to add another string to our bow, by getting up a memorial to Congress from the inhabitants of this district. This is now in successful progress and will be presented tomorrow which is memorial day. In this way our case may be reached, and I am satisfied it will succeed, if ever discussed, for no prominent politician of the dominant party will dare oppose. Mr Van Buren had been told, in as many words, that it is in his power to procure or defeat our recognition at this Session, and that the blame of a defeat will be charged to him, and will cost him the support of the whole South, where our friends are ardent and in the proportion of One Hundred to one. This has alarmed him, and will doubtless quicken his movements. The Virginia Legislature has taken up the Subject and will no doubt in a day or two, instruct their Senators to recognise our Independence. we have in addition to instructions, put the British and French Ministers in possession of certain papers and documents explanatory of the origin and objects of our contest and of our present position and prospects, and have requested them to ascertain, if a Diplomatic agent from Texas would be received by their Governments, for the purpose of entering into a treaty of Commerce. I am in hopes, that answers will be received by the meeting of our Congress in May. So that if treated unjustly here, we may act decidedly in turning our attention to some more friendly Court.

Genl Hunt joined me about a month ago, and has been very ardent and energetic in promoting the success of our cause. we concur in our views & act in the most perfect harmony.

It is my wish to return to Texas after the rising of Congress, nothing can be done here in the mean time. But Mr Ellis is desirous to have our Secretary of Legation T. Catlett Esqr be fully competent to all the duties of the mission in the event of Genl Hunt's being superseded to Foreign intercourse, but if the President prefers my remaining I will do so. If left to my choice I will not. Be so good as to communicate this despatch to the President before laying it before him, and to request him to inform me of his resignation here, officially or otherwise.

Wm H Wharton
relative
to recognition

to the British and French ministers. Gen Hunt and myself joined in a strong, but of course highly respectful letter to the President on which on viewing his justice and disposition to shun the great injury which this delays to recognise our independence inflicts upon the Credit of Texas and upon the feelings of her citizens. Gen Hunt and myself will write on a dispatch on a few days in which copies of all these letters will be sent to you. I am provide to repeat again that the most perfect concurrence of views and harmony of action exists between Gen Hunt myself and that Our Secretary J. Catlett Esqr is every way competent to his duties and wholly devoted to them.

I have the honor to be
Yours &c
Wm. H. Wharton.

P.S. 13th Feby. I have kept this dispatch open to inform you of the doings in Congress to day. A privileged question / the arraignment of Reuben M. Whiting at the bar of the House for a contempt / took precedence of memorials and every thing else, and will continue to occupy the House, I fear for several days. In the Senate Mr Walker of Mississippi, who deserved the everlasting gratitude of Texas for his high minded and disinterested exertions in her behalf both last Session and this, made an ineffectual attempt to call up the consideration of that resolution to recognise the independence of Texas. Mr Benton objected, now on the ground that his army bill was vastly important and was the unfinished business of the house, and he desired the precedence of passing over the unfinished business. The army bill was taken up by a vote of 32. to 12 many of our warmest friends voting with the majority. I still hope that Mr Walker's resolution will be called and decided favorably to morrow, perhaps to day. I will not despair of our recognition until the last moment of the Session is past.

Wm. H. Wharton.

W. H. Wharton relating to an interview with President Jackson and Conversation with him and Santa Anna on the subject of Texas generally

Despatch No 9 Washington City
To the Hon. Thomas J. Rusk Feby 16th 1837.
Secy of State &c.

As I stated in my former despatches, President Jackson and Santa Anna had a few conversation but on my return, but I was afterwards informed of it by both of them, in relation to the extention of the united States boundary so as to include Texas by treaty with Mexico. Gen Santa Anna informed me a few days before he left this place, that he had requested the Secretary of State to furnish him, with the amount of claims held against Mexico by citizens of this Government, and that after ascertaining the amount, he would promptly state to this Government the additional sum of money, which Mexico would ask for a quit claim to Texas. He said he was not instructed to make a treaty here, but by having an understanding with this Government, he would at a proper time on reaching Mexico, propose and carry into effect a treaty in regards to the limits of Texas. I asked him to state to me the highest offer was made by this Government to Mexico for Texas, if it was no secret. He answered that it was no secret, and that the United States had once offered Thirteen millions for Texas. He said that he would not think of asking more any thing like that amount, and the main reason, why he would ask anything, after the people of Texas had declared their Independence and defeated the Mexicans of that Country, was not so much on account of the money that Mexico was to receive for Texas, but it was to satisfy his people with the treaty and make them conduct to cease a further prosecution of the war against Texas. He said he was satisfied that it was for the Interest of Mexico and Texas that

thru Should be an immediate peace between them, that he knew from his own observation, that Mexico never could conquer Texas and that if she succeeded in temporarily overrunning the country, she could not hold it without standing Garrisons of 20,000 Soldiers, which Mexico could not raise, nor support if raised, that Texas was unalterably and unchangeably and would ever be so, that whatever promises in his captivity in Texas, he would religiously fulfil in the Capitol of his nation. He further said, that granting, for the sake of argument the perfidious and ungrateful manner he was so often represented, guessing he would do nothing on account of Gratitude or honor for the Texans yet that his own and his Countrys interests palpably dictated his intended course of future action, as already understood between him and us. which was the strongest guarantee for the faithful performance that could be given us. He concluded by forcibly saying, that the United States had an overflowing Treasury, about which there was much debate and Squabbling, and he hoped that I as the minister of Texas would not oppose any obstacle to his obtaining a few millions from this Government for a grant claim to Texas, which would be the means of enabling him to make a Satisfactory to his nation, and at the same time securing at once and forever, the Independence of Texas, or her annexation to this United States. He spoke with a great deal of feeling and apparent candour throughout, when he had finished, I replied that he was well aware, that our declaration of Independence was a denial on the part of the right of Mexico to ever Texas or to make any treaty or arrangement, that could in any manner or in the slightest degree, bind Texas without her assent, he said he was well aware of this I continued, that I could not for a moment believe that this Government was ignorant of the convictions of this position on the part of the people of Texas and that I knew it would not be guilty of the injustice, folly the madness of attempting to bind Texas by any treaty with Mexico, without the free and full assent of Texas. I further continued, that although the people of Texas denied the right of Mexico to dispose of any portion of their territory and claimed their existence as an Independent nation, yet that it was too well known to be attempted to be disguised, that they desired to be annexed to this United States, and that regarded this their true and only condition on which they were willing to be annexed, we formerly secured and guaranteed beyond the power of doubt or cavil, they could not of the United States gave to mexico for a grant Claim Ten Million or a Hundred Million, but that it was necessary to have the Independence of Texas recognized by the United States before any treaty was made by mexico and the United States in relation to Texas. The reason of this I stated was obvious, for by the recognition Texas would be made a competent contracting party, and could in such case, negotiate for and secure the terms and the conditions on which she was willing to be annexed which she could not do, if unrecognized. As I told him that the previous recognition of the Independence of Texas would be demanded by us as an indispensible prerequisite, before I would give a shadow of assent to any treaty between Mexico and the United States in any way binding Texas. He admitted the force of this, and he said that he knew the immediate recognition of Texas, more than he did, that he hoped it would have taken place before he reached Washington his reasons he said were this, the recognition of our Independence would greatly discourage him and make him to make a much more favorable treaty for the United States, that it would enable him to take a much smaller Sum for a grant claim to Texas, and the smaller the Sum, the more certain the ratification of the treaty by this Government. after recognition, he could take a much smaller Sum, for he could say to people, that Texas had been recognized by the

recognition. She was naturally loth to Mexico for it would give her what was
made necessary the annexation and that the Senate had made the best of a bad
bargain and had got something for nothing. I thought but took a somewhat
view of the matter at last it corresponded with my own. How far his was can
did and sincere you are as well able to judge as myself. After the Senate day
Genl Jackson sent for me and told me that he wished to speak to me in
the strictest confidence. That no one should know of what passed between us. He
then proceeded to state that a conversation had taken place between Santa
Anna and himself in regard to a treaty, for the cession of Texas to the United
States by Mexico. That it was necessary for him to make again the terms
and conditions on which Texas was willing to be annexed to the United States
for upon the practicability of granting those terms, and the amount of the public
debt of Texas, which the United States would have to pay would depend the
treaty with Mexico. His idea was, the amount of the debt of Texas, would rep
resent the amount which this government could in reason pay to Mexico
for a quit claim. I replied, that I scarcely not needed reminded him, that we protested
against and totally denied the right of Mexico to dispose of or in
any way bind Texas, even while in the field and the cabinet we had
vindicated and established a paramount and exclusive claim to all the territory
of Texas. He replied that he admitted this and would further be prepared
be guilty of any imputation to Texas, or attempt to bind her against her consent
I replied that it was truly humiliating to us to consent to be even nominally
sold after we had won the country by privations, sufferings, dangers and triumphs
unexampled or at least unsurpassed in the history of man. He replied that
this was true, but that the wounds to our pride was only in name, in form
not in substance, and that this Government would not treat with Mexico for
Texas until after it had fully respected the terms and conditions on which Texas
was willing to be annexed and determined to grant them. I replied this,
that we ardently desired to be annexed, and provided our own terms were
secured to us, we would not, through false pride, object to any name, which
this Government for national character sake might be disposed to give
Mexico as [illegible] money for a quit claim to Texas, it being perfectly
understood, that by such treaty or purchase, they obtained no claim or shadow
of jurisdiction over Texas without her full and free assent. I continued
that the same, in this case, paid Mexico by this Government was a matter
for its consideration not ours, that for our part, so confident were we of the
justice of our claim to the exclusive sovereignty of Texas, and our physical
ability to maintain it, that we would give Mexico nothing but [illegible], but
I continued, that the recognition of our Independence by this Government
must be a condition precedent and take place, prior to any treaty in re-
lation to Texas between this Government and Mexico. for by doing recognised
we would be under competent contracting parties and could secure by void
doubt or cavil, the terms on which we were willing to be annexed, but that
if a treaty for Texas was made by Mexico and this Government before we were
recognised and before we had secured our terms of annexation, then
in that case, we would have to depend wholly on the justice and the will
of this Government to grant us our terms of annexation, which we were
not at all disposed to do, and against which I solemnly protested.
Moreover, I continued that this treaty between Mexico and the United
States might be rejected by the Senate of one or both countries, and then
Texas would be both unrecognised and unannexed, and that therefore
I claimed as a matter of right, that the question of Texas annexation
should be acted on immediately, unconnected and unembarrassed
with any other, and that it be decided on the broad and naked grounds

of our being an organized de facto Government, with ample practical ability to maintain our national existence. I continued, that in accordance with former usage, there were the only facts necessary to be enquired into by this Government in order to determine whether it would recognise our Independence or not. I further told him, that it remained for us to see to it that this Government admitted the truth of these facts and did not intend to attempt the practice of a recognition. I told him moreover that if we were not recognised during this Session, the people of Texas would view it as evidencing a cold and illiberality, not to say injustice, on the part of this Government which would excite our universal future horror and antagonism. In answer to this Genl Jackson hinted rather than asserted, that a recognition of the Independence of Texas by this Government would prevent any treaty with Mexico by this Government in regard to Texas, for it would be an open declaration that Mexico had no longer any jurisdiction over Texas or right to sell or barter her. I replied, that I did not conceive that such recognition could embarrass the contemplated treaty with Mexico at all. The recognition of the Independence of Texas by this Government did not vary the relations between Texas & Mexico did not in any way impair or diminish the right of Mexico to prosecute war, aid infinitum against Texas. The recognition of the Independence of Texas by this Government did not furnish to Mexico any rational cause of complaint or war, but the annexation of Texas to the United States would be a just and serious cause of complaint or war on the part of Mexico, for it would transfer the war from between Mexico and Texas to Mexico and the United States, and would consequently render the subjugation of Texas by Mexico totally hopeless and impracticable. The treaty therefore, between Mexico and this Government might recite, that the United States, being desirous to annex Texas and to restore the blessings of peace, gave to Mexico a specified sum, for her consent and her relinquishment of her rights, to prosecute further the war against Texas this would be a valid consideration. I concluded by intimating, that the recognition of the Independence of Texas must be a condition precedent and that then the treaty should be tripartite, between Texas Mexico & the United States, with this we parted.

In order to make myself perfectly understood I addressed to Mr Forsyth Secy of State the following protest. He declined receiving it in writing, but I stated him the contents and he replied that I might rest satisfied that the Government would not be guilty of the injustice of attempting in any way to bind Texas or to compromit her honor or interest against her assent by treaty with Mexico

Washington 24 January 1837

To the Hon. Mr. Forsyth
Secy of State.

Sir, Although my unbounded confidence in the justice of this Government will not permit me to indulge the belief for a moment that it would [illegible] to Mr Forsyth intentionally injure or compromit the honor or interest of Texas, yet I should fail in discharging the duty, were I not to protest formally & solemnly as I now do, against any sale or disposition of Mexico all or any portion of Texas by Mexico to this Govt or against any attempt to bind Texas in any way to sell any part way, by treaty or other wise between Mexico & this Government, without the free assent of Texas— first assent of the Government of the People of Texas.

I may be proper to add, that this assent I am empowered to give on the part of my Government provided the terms and conditions, on which the people of Texas are willing to be annexed as laid down in my instructions are definitely arranged and guaranteed by this Government by ample powers of doubt and credit. Duly fully persuaded, moreover, that the people of Texas cannot be considered a competent contracting party to secure their

under consideration until after their Independence is formally recognized, hereby claim that recognition as a condition precedent and prior to any treaty between Mexico & said Government, intended in any way to bind or compromise the Republic of Texas.

I have the honor to be with high consideration
Yours &c
Wm M Preston

Want of time to have the above copied has prevented any sending it on sooner. It will be recollected, that no instructions have been given me in regard to any treaty, which was expected to take place between Genl Santa Anna & myself, on his arrival in this City. The only instructions I have on record on this subject, are those relating to an exchange of Prisoners, which reached me near a fortnight after his departure for Mexico. I retain the same date after their refusal of his charge d'affairs at Philadelphia to ship his wounded & prisoners unless my pledge in regard to the course I ought to pursue, & I doubt whether it would be best for me to undertake to bring Santa Anna under the obligation of a written treaty, all said no, President Jackson was quite explicit in giving his opinion. He said that Genl Santa Anna had no power, without the concurrence of his charge d'affaires to make a treaty that would be binding on Mexico, that had been done, no doubt, that we look to my agency with Santa Anna, would fail kindly more towards us than unfriendly, he said moreover, that what Santa Anna had promised and went contained in his Santa Anna's letter to him, President Jackson said to me, had also been made known with our Government & Citizens during his late journey President Jackson added, that Santa Anna's great inducement in making the treaty he was about to make, was the hope that Texas could not remain part of Mexico, and that he was determined to bring about peace on the basis of the Independence or annexation of Texas to the United States, and all sufficient.

We are unfortunately still unprovided, the disposition of some of Vanburen's friends to frustrate his election, combined with a unanimity of party exertion heretofore both secured, produced this defeat, I am most satisfied that the commercial & foreign affairs of this Country, present as favorable report for me as I can make, that I do, before any step, nothing but want of time can possibly prevent it. Your Excellency's Despatches with which I am honored, my resignation of my present appointment may not reach you, I have requested, I wish to resign under a new Administration of Congress, Genl Hunt is willing to fill my place, & Genl Hunt is willing to remain in Mexico as Chargé of the United States, and all sufficient

I have the honor to be &c
Wm M Preston

P.S. Since writing the above, the commercial & foreign affairs of the Country, report as favorable as I can make, that I do, before any step, nothing but want of time can possibly prevent it. Your Excellency's Despatches with which I am honored, my resignation of my present appointment may not reach you, I have requested, I wish to resign under a new Administration of Congress, Genl Hunt is willing to fill my place, & Genl Hunt is willing to remain in Mexico as Chargé of the United States, and all sufficient

Glory to God in the highest

P.S. which I am writing the above, the commercial & foreign affairs of the Country, report as favorable as I can make, that I do, before any step, nothing but want of time can possibly prevent it. Your Excellency's Despatches with which I am honored, my resignation of my present appointment may not reach you, I have requested, I wish to resign under a new Administration of Congress, Genl Hunt is willing to fill my place, & Genl Hunt is willing to remain in Mexico as Chargé of the United States, and all sufficient

the Independence of Texas also an application for a Minister to Texas. the result will entirely be concluded on, if there is time to act upon it and if not, this almost entire command on the character and credit it will give to a complete and deserved recognition. It being important to know who our friends and foes are I communicate for your information that Mr Forsyth read and responded to the report of this committee.

Probability of recognition from Report of Comt of For Rels

Washington City
July 20th 1837

Despatches No 10

To The Hon Mr Forsyth
Edward D. Burdett
Secy of State.

Sir

I have the honor to transmit to you a copy of a private letter addressed by me to President Jackson, appealing to his sense of justice and praying that he would no longer delay the recognition of our Independence; also a copy of a letter to the British and French Ministers with the reply of the latter.

W. H. Wharton & Mr. Hunt with Letter to Genl Jackson & A Page of Texas Gazette

Washington City
February 5th 1837

Most Excellent Sir

It is impossible by writing any explanation with the Department of State, in consequence of the refusal of the honorable Secretary to receive our communications, and the fear of intercepting your Excellency, where you might be engaged, had induced us to address you this communication, which you will make at your leisure, I trust for the honor and the welfare of our adopted country is our only apology, we trust it will be sufficient our permit us to say, that we know that you, who had always been so prompt and so conscientious in discharging all your public duties, will not blame us for endeavoring to fulfil the important trust confided to us, by all honorable means in our power. If we appear to speak too frankly, attribute it not to intentional disrespect, of which towards you we are wholly incapable, but to the intensity of our feelings, excited by the delay on the part of Congress to extend to us the marked justice of a recognition of our Independence, by this Government. Texas is suffering at every point, Public confidence in our Government is to a great extent destroyed, Emigration is miserably suspended, our financial resources cannot be properly developed, and our credit is immensely injured. Had our Independence been recognised at the first of this Session I fully feel that we would have gone into Texas, this winter, where one hundred dollars would command as much land as 500 dollars will in the settled portions of the country, we could have purchased provisions for one year for a family of five persons for 100 dollars, and could have settled ourselves upon our lands with sufficient stock to support us the first year, and could have had a support from the land the second year, and could have had a support from the land the third year, and could have had a support from the land the fourth year, and could have had a support from the land the fifth year, and could have had a support from the land the sixth year, and could have had a support from the land the seventh year, and could have had a support from the land the eighth year, and could have had a support from the land the ninth year, and could have had a support from the land the tenth year, and could have had a support 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Wharton & Hunt to Genl Jackson

without you give another impulse to the matter. I, you then are appeal most confidently, not to your sympathies, but to your stern Sense of Justice. The rights, the wants, and the hopes of our whole Country are directed to you more than to all the people of the united States, put together. we have sincerely thought that we could not be treated with coolness, illiberality, and injustice, while you were at the head of the Government. We implore that we may not be disappointed in these hopes and calculations, which are confidently predicated upon the weight and worth of your whole character.

It is ardently wished to annexation, which we profess ourselves to be, we tremble when we anticipate the effect, which is reputed to recognize our Independence at this Session will have upon the prospects of Texas. It will certainly alienate their affections, embitter their feelings and cause them to view this Government as a cruel Step Mother, Treated with coldness by their mother land, they will be reluctantly compelled to knock at some more friendly door, and it is not difficult to foresee that Texas, once independent by the recognition of England or France with the superaddition of a favorable commercial treaty, is forever lost to the united States. So far as annexation is concerned considering the shortness of the present Session, there is certainly not a moment for delay. For in such case, the Senate will not have time to act upon a treaty of amity Commerce & at this Session, We feel that the prospect of a war with Mexico will do us no Service, but on the contrary an injury, for it will lead off the attention of Congress, from a consideration of our Independence, which we wish decided promptly on the broad and natural grounds of our being a de facto Government with ability to maintain our national existence, We do not wish the question of Independence to be connected with or embarrassed with annexation, nor with Mexico or any thing else we write this letter for your own eye alone, and pray that our objects and motives may be correctly appreciated, that any warmth of expression may be attributed to our zeal for our Country and that we may be believed, when we assure you of the profound respect, with which we are most truely

Your &c

(Signed) Wm H Wharton.
American Minister

To
His Excellency
Andrew Jackson
President of the United States
of America

We called the next morning upon the President and delivered to him the letter and he told us he had looked over the letter and that he desired the immediate recognition of the Independence of Texas, but that he could not appropriately send in another Message to Congress on the subject, and he had determined to leave the question with them, to decide as they should think fit.

Washington City
Feby 5th 1837.

Wharton & Hunt &c. A Bagot. Chancellor Minister to U.S. States.

Dear Sir

We have taken the liberty of addressing you this communication, thro the hands of Mr Fairfax Catlett, our Secretary of Legation, and of transmitting certain papers and public documents explanatory of the origin and objects of the contest, in which Texas is engaged and also of her present position and prospects. It will be seen, by reference to the report of the committee on foreign affairs, contained in the 38th number of the Texas Telegraph, herewith sent, to which we respectfully refer you, that Texas has the territorial capacity of exporting annually more than two hundred million of dollars worth of Cotton and Sugar, from the climate of her lands, and the facility with which citizenship is obtained, and the current of emigration at this moment, we may confidently anticipate that the actual resources of Texas will be developed by cultivation and settlements, in a manner and with a rapidity hitherto unexampled. This population will be mainly, if not wholly

agricultural and will therefore require no protective tariff to encrease domestic manufactures at the expense of the remaining interest, all or nearly all being returned. It is easy to perceive then that our policy and interest will lead to the establishment of a System of low duties, thereby obtaining the manufactured articles of France nearly as cheap as the duty imposed upon the raw material in the United States and giving in exchange what France chiefly desires our Cotton and Sugar.

Under these circumstances, we have taken the liberty of addressing you for the purpose of requesting that you will ascertain from your Government as promptly as practicable, whether a diplomatic agent from the Republic of Texas, would be received by the Government of France for the purpose of negotiating a treaty of amity and Commerce. Your attention to this matter will greatly oblige us.

With highest consideration

Yours &c

(signed) Wm H Wharton
Memucan Hunt
Envoys Extraordinary of the
Republic of Texas

To The Honble
M. Alfonse Pageot
Chargé d'affaires of His
Most Christian Majesty

Washington Feby 11th 1839

Gentlemen.

I have received the letter you did me the honor to address to me on the 8th inst with several documents in relation to Texas, accompanied with the request that I should ascertain from my government, whether a Diplomatic agent from Texas would be received by my Government for the purpose of negotiating a Treaty of amity and commerce.

A. Pageot's Reply.

In reply I have the honor to tell you that this Government do not permit me to entertain officially any communication, that does not emanate from its constituted authorities, or to interfere in any question, which is not connected with the interests that arise from the existing relations between France and the United States. I am therefore compelled by a sense of duty, to abstain from transmitting to my Government the request solicited in your letter of the 8th inst.

Accept, Gentlemen, with great consideration

Your

A Pageot

To
Messrs Hunt & Wharton.

a copy of this letter to Mr Pageot was addressed at the same time to the British minister the Texian agent has not yet been received.

With great consideration
We have the honor to be Gentlemen
Wm H Wharton
Memucan Hunt

Despatch No 11

Washington City
March 5th 1839

To The Honble
Secretary of State
Republic of Texas

Wm H Wharton giving information of the acknowledgment of the Independence of Texas by the United States.

Sir

I have at length the happiness to inform you that President Jackson has closed his political career by admitting our country into the great family of nations, on Friday night last, at near 12 o'clock, his consummated the recognition of the Senate, and the Diplomatic appropriation bill of the last session Mr Poinsett by nominating as Minister of Louisiana, charge d'affaires near the Republic of Texas. He also sent for

requested the substance of a Flag of mine, and stated that Mr Forsyth would see us officially on monday. I close this brief communication on account of my inclination to write a Flag after this interview with Mr Forsyth. I remain my dear to return home,

With sentiments of high esteem and consideration
I have the honor to be Genl &c
Wm H Wharton

P. S.

Genl Hunt and myself addressed the following communication to President Jackson on the morning of the 3d inst.

Washington City
March 3d 1837

Whereas Hunt to End Jackson

Believing that the late vote in Congress have sufficiently indicated that, in the opinion of that body, the time had now arrived, when the Independence of Texas should be formally recognised, we again take the liberty of appearing before you, to implore you, in the name of our country and by the friendship of Our President and Our whole population for you, to close your brilliant career by admitting Texas at once, by Our executive act into the family of nations. The people of Texas feel that they have claims of the strongest nature upon you individually. Many of them are from your own State, and were induced to emigrate to Texas, by the confidence they entertained, that they would be again received under the flag of their native land, by the aggrandisation of Texas during your administration. Moreover a large number of those, who won the battle of Jacinto, Sprang from the same noble State, and were taught the way to victory and to fame by your own practice and precepts. To add to this our full assurance, that, in making the recognition which we here so earnestly implore, you will only be performing what had been long expected from you by the whole people of the United States, and that yourself also embalm your name forever in the gratitude of a rising Republic, which had proved herself so worthy to be free, alike by her wisdom and moderation in the Cabinet and by her valor and success in the field.

With the highest consideration we have
the honor to be Genl. &c
Wm H Wharton
Commissioner Hunt

To His
Excellency
Andrew Jackson
President of the United States
of America

Fairfax Letter relative to a Correspondence with Mr Forsyth & Mr Poinsett

To The Honble
Secretary Henderson
Dep of State.

Texan Legation
Dispatch No 14
Washington City
April 15th 1837.

Sir

I have the honor to acknowledge the receipt of your Letters of the 13th, 19th & 28th July with one from Mr Grayson of the 13th March Month, and another from the Secretary of the navy of the 7th March have been received.

I have the honor to transmit to you a copy of my letter to Mr Forsyth on relation to Indian aggressions upon our eastern frontier, urging also the expediency of establishing post routes between the United States and Texas, together with his reply, and also that of the Secretary of War Mr Poinsett,

Texan Legation Washington
April 8th 1837.

Honble John Forsyth
Secy of State of the United States

Communications have just been received from the Government of Texas, which it becomes my duty on the advice of Genl Houston made known to lay before you and invite your favourable consideration of the wishes therein expressed.

It is desired by my Government "That a frequent and easy communication may be established between the Citizens of the United States and those of Texas by means of regular mails in the territories of the two Governments, which shall regularly visit at proper points on the Sabine River."

To Calhoun to Mr Forsyth relative to Mails and Indian affairs

Regular weekly mails have already been established by the Government of Texas and Natchitoches on the Sabine River. It is desirable therefore, that the mail routes of the United States may be extended to meet those points, so as to accomplish the important object of securing a safe and expeditious intercourse between the Citizens of the Countries connected by the Sea coast and contiguity of Territory.

Although fully persuaded of the importance of such an arrangement to both Governments in consequence of the peculiar relations which now will hereafter exist, and made of its necessity, as the communication by Sea, at all times attended with hazard, might by possibility be cut off entirely for a short time, yet I am to add aware of your superior ability to appreciate that measure and its importance and the great convenience it would prove to your numerous Citizens, whether friends and relatives and important commercial connections in Texas, with this I say, your patience with any further suggestions of my own upon this subject, or to apprehend that the views of my Government will not be promptly and favourably responded to.

I have, &c. I have the honor to transmit to you a copy of a dispatch from the Secretary of State of the Republic of Texas on the subject of the Indian aggressions upon our Eastern frontier, complained of in Mr Secretary Wharton and Genl Houston's letter to you of the 14th ultimo, and also a number of the Texas Telegraph, in which I beg leave to refer you to some remarks upon the same head.

The wishes of my Government are so distinctly expressed in that dispatch that it seems unnecessary to solicit your attention further to it, although the Government of the United States has already signified its disapprobation of the Indians in check in the greatest speed &c. yet and it is the decided opinion of my Government that the object can only be effected by the United States evacuating every Station on some other contiguous point. I trust you will not deem it necessary for me to lay that opinion before you and to express my earnest hope that it may fall met with the concurrence of the Government of the United States.

I would also invite your attention to the bath part of the dispatch, which had reference to the condemnation of the Brig Pocket and cargo, by the authorities of Texas.

I have the honor to be, with sentiments of distinguished consideration

Your obedient Servant

Fairfax Catlett.

The dispatch referred to in the above letter bears date 19th February 1837

Telegraph 38th of the same month.

The following communications in reply were then made in this morning.

Department of State

W. H. ...

Fairfax Catlett Esquire

24

John Forsyth
Reply to Mr
Catlett

Sir

An extract from that part of your letter of the 8th inst. together with the enclosure, suggesting the expediency of again advancing the troops of the United States to Nacogdoches or some other convenient point, has been referred to the Secretary of War. I now transmit a copy of the reply of that Officer.

An Extract from that part of your Letter, which relates to the establishment of a communication by post route between the United States and Texas, has been referred to the Post master General.

I have the Honor to be Sir
Your obt Servant
Signed/ John Forsyth

Mr Poinsett
to Mr Forsyth
relative to
Indians

War Department
April 11th 1837

Sir

I have attentively examined the papers, referred to me by your letter of the 11th containing an Extract from a note addressed to the Department of State by the Chevalier de Bacourt, of Legation of France together with the correspondence and copy of the documents by which it was accompanied, complaining of murders and depredations being committed by a party of Caddoes and Kickapoos upon the inhabitants of the upper settlements of Texas on the eastern waters of the Brazos river, and containing further suggestions as to the expediency of again advancing the troops of the United States to Nacogdoches or some other convenient point.

Immediately on the receipt of the former communication on this subject by the Honble Mr Wm H Wharton and the Honble Mr Memucan Hunt, detachments were taken by this Department to augment the force on the frontier where a hostile feeling among the Indians had appeared and orders were addressed to the officer commanding there, to use persuasive vigilance to restrain all hostile manifestations on the part of the Indians, and to maintain our treaty stipulations. These orders will be reiterated, and every exertion will be made to encrease our force along that frontier, where the boundless military material can be conveyed better than Nacogdoches, afforded for the purpose of compelling the Indians to maintain peaceable relations with the United States, if it should become necessary to use force for that purpose.

I have the honor to be
Your Obt Servant
J. R. Poinsett

Honble John Forsyth
Secretary of State

Mr Poinsett thinks we do strongly entrench on behalf of Texas that I cannot doubt he will do every exertion to restrain the Indians from encroaching any further upon our eastern settlements. His attention too has been drawn to the importance of holding a considerable force in readiness in that quarter by sundry newspaper paragraphs, published in the southern and western papers of the United States.

General Hunt is still absent. I expect him in a fortnight from this time, and if he is not indisposed he will return sooner. Shortly after his departure, I called upon the Secretary of State and stated how my authority to act in the capacity of Texian Charge during the absence of the ministers. He told me he could not formally receive me as such, inasmuch as Mrs Wharton and Hunt had not been diplomatically accredited, and my commission as Secretary of Legation, restricted upon as Texian Minister being first formally received and accredited by this Government. But that the want of a formal reception should make no

dissimulation so far as circumstances would command.

Observing by a newspaper that Mr Townsend had been appointed Texian Consul for the port of New Orleans I considered it aware of the necessity of his being formally recognised as such by this Government before he can properly enter upon the discharge of his functions: but he has not yet applied for any Exequatur, through the channel probably I think sufficient time had not elapsed to hear from him.

I now frequently the pleasure of seeing General Hockley and conversing freely with him upon the affairs of our Government he speaks of paying you a visit this Summer. He possesses a large stock of information upon Texian and Mexican matters, and is as deeply interested in the successful issue of our Revolutionary struggle as any friends of Texas that I have met with. He strongly advocated the expediency of siezing upon Matamoras and the Brazos St. Jago, and establishing a town upon the eastern side of the Rio Grande.

I shall do myself the honor to write you again in a few days, and to with additional of high respect and consideration, Yours

Your obedient Servant

Francis Corbett
Secy Texian Legation

P.S. The mail has just arrived bringing from Vera Cruz, that Santa Anna is again at the head of the Mexican invading army

To The Honble
D Pinckney Henderson
Secy of State of the Republic of Texas

"Dispatch" no 15 Texian Legation
Washington City April 29th 1837

Sir

I write in haste, because the information I have to communicate to you is of an important nature and I wish to dispatch it by the Express Mail of to day.

Tabletts relative to an interview with Chf Clk Dept State on the subject of News from Mexico.

I received a message this morning from the Chief Clerk of the Department of State expressing a desire to see me at his office on some communication to make to me under the instructions of the Secretary of State. I accordingly called upon him without delay, and he read to me confidentially Several parts of a letter addressed to the State Department by the American Consul at Mazatlan, dated 28th March, stating that on the Saturday previous, a revolution had effected in the Mexican Congress by General Bustamente to dispose of Texas and as far South as might be deemed expedient, to the British Government for £5 Millions sterling, the boundary line between Texas and the United States to be settled amicably by formal treaty Stipulations. The Consul gave it as his opinion that the project would certainly meet with the concurrence of the Deputies, Inasmuch as the former would thereby secure the friendship of Great Britain in the event of any overture being made on the part of the British Government to Mexico for the separation of Texas, and whether any thing was said of the instability of the British Government according to such a proposal. He replied in the negative, & therefore Mr Ingham for his kindness in giving me the above information and requested him to let me have a copy of those parts of the letter, which he had read to me in order that I might transmit it to my Government in his own form. He said that he could not do so without the permission of the Secretary of State, that he would speak to the Secretary, and if no objection was made he would send it to me. I took occasion to remark, that if such an offer were made by Mexico and accepted by Great Britain it would inevitably involve United States in a war with that power. I did not call

State, because them was not sufficient time to do him before the Sailing of said packet, and to communicate any conversation which might pass between us in this Despatch.

I have the honor to be
Your Obedient Servant
Thompson Cathcart
Secy Private Legation

"Despatch N°16"

Private Legation
Washington City
May 17th 1837

To The
Lords & Lincoln & Clendenin
For

F. Cathcart relating to correspondence with Mr Forsyth &c

I had the honor on the 29th ultimo to acknowledge the receipt of certain confidential intelligence which had reached me unofficially on that day by the Secretary of State of the United States at my request, an extract from the letter of Mr Poinsett the American Envoy at the City of Mexico, was handed me to me and I now transmit you a copy of it, together with the letter I addressed to Mr Forsyth on the subject of the information rejoined to, and a brief account of the conversation which ensued &c.

Extract.

Consulate of the U.S.A
Mexico 3 March 1837

Extract from our Saturday night last. to despatch of Texas and as far South as Panuco to the British Government. at the rate of Twenty five cents per acre, in order to free Mexico, of the British debt. which is about Forty Eight Millions Dollars. first establishing the boundary line between the United States and Mexico, in conformity to Treaty stipulations. and it is not doubted, under the present state of feeling of the Government of the Chambers, on the project proposed. the matter is safely gone a head.

General Santa Anna had received the note of the Department for the Presidency, as far as heard from, I decided. it is said, that Santa Anna now in Spain or Cuba, on Leave, will be minister of foreign relations, Secretary of Finance, War Department no good man found yet Interior not fixed upon but unimportant.

Government have now on Treaty with Austro and others for a loan of £80.000 sterling. for which the entire control of the Maritime Customs with Republic were to be given notwithstanding there are Several millions of Custom house paper Still afloat. Steps for funding bond. the negotiations I am this afternoon informed, has failed.

Honorable
John Forsyth
Secy of State
Washington

W. D. Jones

On the receipt of this extract I wrote to Mr Forsyth in the following terms

Private Legation
Washington May 20th 1837

Sir,

I thought the solicitude of Mr Clayton and all your citizens I was confidentially informed, on Saturday morning last, that there was a project on foot in the Mexican Congress which, if was rejected, would, certainly

must with the concurrence of the Chamber of Texas, and as far north as necessary, to the British Government at the rate of Twenty five cents per an order to pay off the British debt, which is about Sixty eight millions dollars"

I would beg leave to acknowledge as proper Sirs of your kind
to Mr Forsyth. and in so promptly communicating that important intelligence, which was inquired ably transmitted to my government, and from the regards they evinced for its welfare, will doubtless strengthen the friendly feeling which it had always cherished for its parent commonwealth.

I am induced to trouble you with this letter by the anxiety I feel to apprise my Government of the views of the Government of the United States in relation to the protocolets of Texas now offer being accepted by Great Britain, and also, if any preventive steps will be taken by the Government to preclude all danger of an event, certainly as much to be deprecated by the United States as by Texas.

There is room to apprehension that the United Governments may be impelled to undertake so undue an effort, if not induced from a knowledge that British influence has already been made to survive, as one would suppose that the pecuniaries funds of the latter would hardly furnish her to stoop so low as to tender a fragment of her purse to a foreign power without having previously received some intimation that such a tender would be kindly entertained & not promptly rejected.

In this as in many, that are yet pending, how powerful motives would the inducements be opposing consideration, which render it, to say the least, a question of some doubt, whether Great Britain would not gladly seize a good occasion to protect herself of the fertile domain of Texas — this sacred rights of an infant Republic, the compromitted dignity of the United States, and the law of nations to the contrary notwithstanding

admitting that there is the least probability of such a compact being entered into, permit me to add, but would not permit to the expediency of an immediate resort to such preventive measures as will be calculated to remove a danger, which trivial as it may now appear, may yet grow up into entity until not only the liberties of Texas but the interests of the united States and the peace and harmony of all North America are jeopardized.

I am duly sensible which the Government of Texas will feel upon this subject the difficulty of obtaining such information as would enable it to come to a wise conclusion, the community of interest and feeling and the importance of a full understanding between the two Governments will sufficiently excuse me I trust for soliciting your views upon this important subject, and requesting that you will oblige me with any information, which you may have received, calculated to show the probability or improbability of the British Government according to the project proposed in the Congress of Mexico.

I have the honor to remain with sentiments of the
highest consideration

Your Obedient Servant
Fairfax Catlett

Hon'ble
Alex Forsyth
Secretary of State
of the United States

Purport of an interview with Mr Forsyth:

Some principal objects in addressing the above letter to the Secretary of State were, first, to draw the attention to the subject in a particular manner, being well satisfied that it regarded subject of great and serious importance to the United States as to Texas and that however unwilling this Government might be to commit itself by any expression of opinion or arrival of intention, that the identity of interest was too real and apparent, to leave any doubt as to the country of policy it would be compelled to pursue in case of any serious negotiations, being opened between Great Britain and Mexico, for the purchase of Texas and that therefore it was only necessary to draw the attention of this Gr.

to the matter to enclose his despatch upon the movement of their troops
Second and Secondly I was anxious to obtain such information as I could
use to enlighten the Government of Texas respecting the probability of a Loan of Texas
to Great Britain and ascertain your Lordships sentiments which might have
weight upon this subject.

The next day, I received a note from the Chief Clerk
of the Department of State expressing a wish to see me at the Department, at such time
it might suit my convenience to call, and I accordingly made him a visit on the
morning of the same morning, on entering the room Mr Secretary Forsyth met me
at the entry. He saw me, and after the usual exchange of salutations, invited
me into his own room, saying that he wished to have a word with me. I saw that
minute no detailed instructions for me could be ready for you to know that
it was not his intention to give me an opportunity of seeing him that morning and my
calling in with him was entirely fortuitous.

He said, that he thought I had better take back my letter
that there were some expressions in it, which although I was justified in using them
might be a source of future misunderstanding. I said, I could not perceive that,
replied that, that expression was not intended to convey the idea that the Republic
of Texas owed its origin to the Government of the United States, but that it was
simply meant in contradistinction to that Republic, the inhabitants of Texas being nearly
all natives of the United States, and having adopted the same form of Government
and the same institutions which belonged to their parent Country. He said that it
was an expression which could still be made use of by the friends of the administration
and by all such as were inimical to the United States and to Texas. That all correspondence in relation to Texas would probably be called for next winter by Congress &
that, while the best feelings and wishes for the prosperity of Texas were cherished, it behoved him to be careful to make no admissions, which might be misconstrued as showing
an undue interest in the issue of our revolutionary struggle. I replied that I
was well aware that the situation of the United States was a delicate and embarrassing one, and that it was by no means my desire to render it more so but that
the identity of interest between the two countries was so startling, and the separation, and hostilities so closely to the expediency of the United States immediately entering into negotiations for the purchase of Texas, that I could not but encourage the hope that some assurance would be given to my Government that if any negotiations were opened between Great Britain and Mexico, that the United States would be immediately informed. "In what way could we interfere?" He distinctly intimated to the British Government that the United States could not consent to Great Britain obtaining possession of Texas. Great Britain in return might say the same to us. If she did, it would be easy to reply, that the United States would make no such attempt, that she had already acknowledged the separate existence of Texas as an independent Republic, but if it were the unequivocal desire of the people of Texas to be admitted into that union, that their wishes would be promptly complied and delivered &c. He said that the subject was certainly one of common interest, but that, for himself, he had not the least idea that Great Britain would accede to this offer, though he doubted not that similar offer had been made, # to Mexico by Great Britain for the purchase of Texas. That so far as facts were concerned, he would cheerfully communicate any information in his power that would be interesting to Texas, but that it was impossible for him to express any opinion in relation to the course of policy that the Government of the United States would pursue, if indeed he knew enough of that, when it was beyond a doubt that negotiations had actually been opened between Great Britain and Mexico, that notwithstanding the movement to which the people of the two countries were drawn together, it was necessary that the intercourse between the Governments should be carried on as if there was no peculiar relation subsisting

that the Minister was doubtless under instructions to the British Government but to British subjects, that he had received no information on the subject in addition to what has already communicated, nor did he believe that any overture had been made,=

Between them, that some of the expressions in my letter might be refused to give some future occasion as showing that our conduct indirect had been taken by the Government of the United States in the affairs of Texas and that he would for in returning it to me, at the same time offering me this letter, which I no longer hesitated to receive, not only because I was disposed to admit the force of his objections, but because the letter had answered its purpose, and I did not regard it as of sufficient consequence that it should be returned, and more particularly because, I was desirous that of Mr Irion made any further observations in complying with his request, that he might be disposed to make known from me any further information on the subject. I assured him that the expressions I used, were attributable to my inexperience alone, and not to any desire or intention to embarrass the Government of the United States.

Mr Ferguson for me to mention that in this sketch of my conversations with Mr Forsyth, I have adhered rather to the substance of his remarks, than to his literal expressions, for we was very guarded in his expressions, but his meaning and tone of talking as distinctly implied, I have endeavored to give you with as much brevity and exactness as possible.

I was informed by Mr Ritchie, the Editor of the Reporter, a paper published in this City, that Great Britain was applied to some time since by Mexico for the purpose of ascertaining whether she had any design to obtain possession of Texas and that she gave a decisive reply in the negative, That information I of course obtained without reference to any thing I had learned from the Department of State, and I think it may be relied upon as correct.

I received intelligence that morning from New Orleans that Genl or would be raised of Mexicans were in full march to Texas under Santa Anna, Should that intelligence be confirmed, I shall be anxious to return to Texas to take part in the ensuing campaign, as I was deprived an opportunity of serving my native state in the last, and permit me to hope that your Govt will be rewarded for many, which will enable me to show how dear and distinct I hold my first love for the cause of liberty and Texas.

P.S. the Cherokee chief was here a few days since, I regretted that I was not aware of it until it was too late to see him. He had great control over his tribe & they talk of moving westwards shortly. They number about 5000 warriors and would be a useful ally, Should war be so hard pushed as to make foreign assistance, even many of an effective corps being determined on, or Should the Government Texas be an asylum for the Californians.

Many Texans half a mind to declare war against the United States, when the tenor of the negociation of our Judge Grundy and the prevailing opinion here is that She will remain contented with the power that she had already attained by the mouth of her Secretary at war against the desultory, injustice, and false dealing of this Government towards her.

I have the honor to inform you that an Exequatur has been issued to Nathaniel Townsend as Consul of this Republic of Texas for the Port of New Orleans, and made public on the usual manner.

With great consideration
I am Your Obedient Servant
Fairfax Catlett
Chargé Texian Legation

To the Honble
Jonathan Henderson
Secretary of State.

Confidential No 17

Private Legation
Washington City May 25 1845

E. Catlett on various subjects

Sir

I had the honor to address you, last on the 7 inst, the last dates received under your Favors are the 28 march and the 2 and 7 of April, the second enclosing Mr. Townsends Communications, the last Genl Hunts letter of Credence, and more than six weeks Have elapsed since the date of your last communication, I fear that some of your despatches Have fallen into the hands of the enemy. I have been looking with great anxiety for information from Texas, not even a Packet has arrived for the last three weeks. Permit me to allude to the importance of your keeping me regularly informed of the progress of events in Texas, and to entreat you will gladly appreciate the anxiety, of one having the earliest information of all important occurrences, when you reflect that daily inquiries are made by persons interested in or concerned, and almost every mail brings letters to this Legation from underneath wishing to know something or other connected with the affairs of the Texian. It is also of great importance that we should know the wishes of all accredited agents who may be sent to this Country

President Van Buren had called an extra session of Congress, which will meet on the first monday in September next, as well as I can learn. The primary motive for convening that body at so early a period was to provide a remedy for the present unexampled disarrangement of trade and truly most lamentable condition of things in the United States, at the same time, however, the late events on the coast of Mexico and the numerous forebodings, contained in the Papers, of a rupture with that power, the peculiar relations of the United States to Texas, and the complicated train of interesting probabilities growing out of those relations and involving the interests of European Powers, the circumstance of the Mexican Government having probably made overtures to Great Britain, for the sale of Texas, in a word, the threatening aspect of the times, arising in so great a degree out of our revolutionary struggle, suffice no doubt to call that session suddenly to the attention by considerations closely connected with the affairs of Texas.

May 29th. The melancholy news of the capture of the Alabama down with Col Wharton on board reached here last night and produced a general feeling of unfeigned concern, most deeply do I sympathize with my countrymen, not only from common feelings of sympathy but because Col Wharton had so well informed himself, upon the views, embarrassments and probable policy of the present administration with respect to Texas, the state of feeling, the relative positions of the United States, England and France, the wants of our friends and secret enemies in connection the division of the State or the question of annexation, and every subject of peculiar interest to our interests that his capture at such a time is most truly to be deplored by all such as are willing to sacrifice personal feeling at the shrine of their Country's prosperity. Indeed I have not thought it worth while to trouble you with any communications of my own upon this or similar subjects, because I expected that he would be with you, and I knew he had the ability to supply you with the requisite information, when first I went abroad, and I now daily expecting him, he will doubtless communicate his views to you in full, although I am persuaded that the present administration will use every exertion to put down the question of annexation, still as a violent effort will be made on the part of the South to have it decided by the ensuing Congress, and it is important that your minister should distinctly understand the present as well as former views of the Government of Texas in relation to that subject, I would take the liberty of suggesting in Gen Hunts name, for I am sure he would sanction the suggestion were he here, that the instructions

Transcribed by Genl Austin be carefully examined, and if any modification should be deemed advisable, that they be communicated to him at your earliest convenience, at the same time. I would beg leave to remind you that those instructions were submitted to the Secretary of State, some time last December, agreeably to General Austin's express directions, but whether a copy was taken is more than I am able to inform you.

May 29th I received communications which I had with Mr. Forsyth the yesterday, by which I am informed me that the Post master General had ordered the Post routes of the United States to Texas and a Ballot (?) Press, agreeably to the wishes of the Texian Government, but he had not as yet succeeded in finding mail Contractors, that so soon as Contractors could be obtained, he would notify me of it and all intercourse with Texas by land would be established without unnecessary delay. He promised to let me hear from him on the Subject in a few days, by which time he thought a definitive arrangement might be made for a regular conveyance of the mail to the points of interest on the Sabine.

Speaking of the capture of the Genl arose by the Natchez, and the illegal seizure by the Mexicans of several American Vessels, he remarked that if we could not take up the hands of the Executive, a letter would have been given them before this, which would have taught them that the rights of American commerce must be better respected in future. I drew two conclusions from this remark, not only from its literal meaning, but from the manner and tone of voice in which it was made. 1st That the President is disposed to pursue a pacific course with Mexico 2d That he will draw the attention of Congress to the subject at an early period & suggest the expediency of their authorising reprisals, at any rate allowing more discretionary power to the Executive to enable him to act with the requisite decision and energy in case of any further unlawful conduct on the part of Mexico. One thing is certain that matters have come to such a pass between the United States and Mexico, that the former can no longer submit with honour. The United States must demand redress for the injuries already inflicted, & for those that have been threatened, her citizens robbed imprisoned and otherwise maltreated, her vessels seized, condemned, sold, and no time sustained without a shadow of law or reason to palliate such unwarrantable conduct. I can hardly suppose that this Government will be so dishonored as ordinary self respect, and so regardless of its own true interests and the rights of its citizens, as to suffer these atrocities to be perpetrated under its very eye and make no attempt to punish them. Through the fraudulent Policy a war may be and I think will be avoided but the United States will continue henceforth to stand on tenterhooks over the precipitate margin of insanity Mexico, while Texas moves firmly on in the even tenor of her way, collecting her strength, developing her resources, nurturing her youthful prowess, and rapidly unfolding to the gaze of many an astounded continent, the marvellous spectacle of a wilderness converted by the touch of some magic wand into a flourishing little Republic already renowned for her heroism and magnanimity, whose sons have already been enrolled upon the list of chivalry and whose Statesmen are gaining an enviable reputation for moderation and wisdom, for sagacity, patriotism and liberal and enlightened views of the true objects of Government. God grant that it may be all decreed.

I fear there are many persons in the United States who still regard the affairs of our unbounded in doubt and mystery. Such I am persuaded is not the opinion of that Government. To the sagacious and intelligent it is clear that the United States had so far compromitted herself by the act of recognition, that if it is now common cause with Texas, and they must stand or fall together, all considerations of interest and policy aside, the ties between them are of such a nature that nothing but the interposition of Texas hereby can prevent the bonds of amity from increasing in strength and holiness, and therefore permit me to say, that it is impossible that her deportment should be regulated by too scrupulous an adherence to the established principles of international law.

The Indications existing had already been published in several papers and appeared to have met with the unqualified approbation of all those who are friendly to our cause.

May 30th I have the honor to acknowledge the receipt of the Postmasters letter of the 4th instant enclosing a new letter of Credence for Genl Hunt

That indeed continued to be manifested from the first appointed occasion of attention between the Gen and the Intelligencer, having upon the relative position of Texas Mexico and the United States made it his duty to keep the public of the people to know every thing connected with the question of Texian Independence. Opinions are gradually settling down in a well advised belief that at no long period will a question whether Texas will be bonds or free. The growing confidence in the successful issue of our struggle will greatly facilitate the efforts of the Government in relieving the financial distresses of the Republic.

I have the honor to remain Your Excellencys Servant

Fairfax Catlett.

Sec'y Texian Legation.

Texian Legation

To The Hon'ble Dispatch No 16. Washington City June 4th 1837.

D. Dunkin Henderson

Sec'y of State.

Sir —

F. Catlett relating to his situation and the situation of the Legation.

Having nothing better to communicate at present it has occurred to me that some account of this Legation would not be unacceptable to you. Indeed, I have thought it would be proper to make a brief report of the country I represent of the Legation, in order that you may be apprised of the amount already in funds, and at the same time have some data, to go upon in forming and estimate of what would be a proper annual allowance for such expenses. I have moreover deemed it advisable to render you some account of myself, not from any selfish considerations, but as the best mode of making you acquainted with the nature of our fortune at this Court and that you may likewise form an opinion as to how far the interest of Texas have been promoted or injured by my Predecessor Genl Memucan Hunt.

Although I was advised to return to Texas immediately after the recognition of our Independence, yet as my Ministers were not formally received as such, and they could not continue here waiting upon the Secretary of this Government without injury to Texas and some sacrifice of dignity on their own part, but as letters were daily arriving and it was indispensable that some one should remain to attend to the business of the Legation and keep the door open between the two Governments, I therefore conducted to continue here in my humble capacity, unrecognized as it was and patiently await Genl Hunts return & the arrival of the new credentials.

Having no power to open negotiations with any of the foreign Ministers, I have carefully avoided creating any suspicion against such as might have a public, and being formally recognized as Secretary of Legation or Chargé personal pride and prudence will bring me intercourse with them in entending myself upon them as a member of the Diplomatic Corps, which thus far, I have not enjoyed the honor of an intercourse with them. I flatter myself that I have done nothing to irritate in any manner against the good feeling which should be encouraged between this and other Legations near the Government of the United States.

As the feeling on the part of the people of this country in behalf of Texas was confidently very strong, and the Government had already compromit-

ted Italy by the act of recognition, towards Sicily, I thought dictated a perfectly modest & unobtrusive tone of deportment, not only as the best way of preserving that good feeling unimpaired but also of securing the rights of the Legation, whose the proper time should arrive for asserting them. I read a delicate and unpleasant situation to be placed in, I was not willing to compromit any of the rights of the Office, which I had the honor of holding, and yet it was necessary to act in such manner, as to afford no reason for unpertinent remark or offence by appearing too sensitive about them. I thought it best therefore, as no good could be done by pushing myself forward among the magnates of Washington, but much injury might result in case of unpertinence on their part, and everything invited unpertinence sooner than unadmonished, to secluded myself from general society as far as possible. Whenever I have had business with the Secretary of State, I have transacted it with a proper regard to what was due to him as an honorable Functionary of the United States, and to my Fourth Sight as an national representative here. I have given no dinners, not only because I had not determined, but because I conceived it to be good policy, for the time being to avoid every thing like Diplomatic parade. I have been an observer of the measures of this administration and a looker on upon the struggles of contending parties frequently a listener to the political opinions of American Statesmen, but I have always declined interfering in their Political discussions or expressing my own conviction except on topics connected with Texan interests.

You will perceive, Sir, that I have not cautiously avoided the good disposition of this Government towards us, although unpleasantly situated I have done nothing either to lose that good disposition, or to derogate from the proper standing of this Legation, and if you agree with me in thinking that by pursuing a negative and retiring course of conduct, I have better subserved the true interests of Texas, than I could possibly have done by plunging myself abroad in the Texan Country of Legations, I shall not regret any little vexations & small pecuniary sacrifices I may have endured at the thought of having been enabled to have rendered a more honorable but little ever unembarrassed case. At the same time to prevent misapprehension, perhaps it would be well for me to mention that I have made no complaint on the score of evasions or neglect. I have been induced to give you this brief account of myself by an idea that it would please that I should do so, and that the President would like to be informed as to the precise relative standing of this Legation.

Orders have been kept of all dispatches transmitted to you & all correspondence with this Government as well as the Texan Consuls and agents and other individuals, when it was of any importance that copies should be preserved.

With regard to the salary attached to the office of Secretary of Legation, I consider it sufficient but not more than sufficient to sustain that office in a respectable manner. Whether any additional compensation will be allowed for the three months in which I have had the whole burden of the Mission upon myself alone, as well as various unnecessary extra expenses to bear must depend upon the discretion of the President towards with whose decision I shall be perfectly satisfied, and I will only take the liberty of suggesting, that if the established usages of the United States when the Assistant Minister is absent for any length of time, to allow the Secretary of Legation, upon whom the business & work & the expenses of the Legation generally devolve, a certain proportion of the salary of the Minister according to the extent of his absence. Should such additional compensation accord with the wishes of the President, I must ask to request that you will forward me an order for the proper amount and a copy of the same to some duly authorized agent of Texas and directions to honor my draft upon him, or to remit me the money, at his earliest convenience. For I am greatly in need of it.

My last draft upon Mobile was protested, and my situation in consequence is by no means an enviable one. I should be considered to murder my thoughts upon the ground to subside, you can read

however that I should not be able to labor with the same alacrity in the discharge of my duties.

I have the honor to subjoin for your information a Copy of the Contingent Expenses of this Legation up to the 5th June & similar copy up to the 13th inst. and made out and transmitted to Col Wharton at New Orleans which he received, but no consignment of this Capitain I presume has never reached you.

Contingencies of the Texian Legation.

Copied from the Account book.

December	1836	To Elliotts Diplomatic Code	$ 16,00	
		To Story's Commentaries	11,00	
		To Wheatons International Law	3,00	
		To Paper Pens &c	3,18	
		To Cummings Speeches	4,00	
		To Postage on Letters	4,75	
(A)		To King the Painter for portraits of J W Eustis Esq	50,00	$ 91,93.
January	1837	11 To Receiving Letters	,20	
		4, 6, 7, 8 To Postage	3,75	
		9 To Postage	1,25	
		10 To Postage	1,31	
		11 To Postage	,75	
		11 To Paper of Sands &c	,50	
		12, to 19 To Postage	2,00	
		21 To Postage	,62½	
		To Gales & Seaton for publishing pamphlets, under the signature of Phocion and Jefferson	44,50	
		22 To Postage	1,50	$ 6,38½
February	1837	1, 2, 3, 4 To Postage	3,75	
		5 To Postage	,38	
		5 To Wax, paper, quills, Stamps &c	6,25	
		5, 6, 7, 8 To Postage	1,12½	
		8 To Postage	,87½	
		8 To Letter paper & Blank Folio	3,50	
		9 to 11 To Postage	3,25	
		12, 14, 15, 16 To Postage	5,50	
		17, 18, 19 To Postage	4,25	
		20, 21, 22 To Postage	3,30	
		24, 26, 27 To Postage	3,87½	
		28 To Quills, Sealing wax & Lead	1,25	
		28 To Postage	,75	38,05½
March		1 To Life of Thomas Jefferson	6,00	
		1 To Adams's Diplomatic Correspe	35,00	
		1, 2, 3, 4 To Postage	4,25	
		5, 6, 7, 8 To Postage	3,50	
		9, 10, 11, 12, 13 To Postage	5,00	
		13 To Paper	1,50	
(B)		13 To Draft of Nov 21 & Ruston	300,00	
		15 To Postage	,50	
		16 To Postage	1,50	
		17 To Postage	1,25	358,50 $ 544,87

			Amount brt. Forwarded dolls	534,87	
March	16th	To	Postage	f 1.00	
	17th 20th	To	Postage	1.12½	
	23d	To	Postage	.18	
	24th	To	Postage & writing Paper	2,38	
	25th	To	Stamps for Legation	4.00	8,68½
April	7th	To	Postage	3,40	
	14th	To	Box Post Office	.75	
	"	To	Postage	.90	
	20	To	Postage	.55	5,60
May	3d	To	Writing Paper	.50	
	4th	To	Postage upto date	8,00	
	5th	To	Writing Paper	1,12½	
	24th	To	Cash paid for the Globe one year	10,00	
	"	To	Cash paid for the Intelligencer "	10,00	
	27th	To	Postage	2,00	
June	3d	To	Postage	1,50	33,12½
			Total amount upto 3 June 1837 Dollars		592,28

(2) This Portrait was ordered as Presents by Col Wharton / by Friendly. Gen Austin and Lt Arthur. It was duly forwarded via the Legation and will be forwarded to Texas by the first safe opportunity.

(3) At the joint solicitation of Col Wharton and Gen Hunt. Senators Preston and Walker consented to have their busts taken by Mr Powers. They could be executed in Marble: Col Wharton singing for Mr Preston and Gen Hunt for Mr Walker. Cost of each $300. In the foregoing list of expenses, I have not included Gen Hunts contingencies, because they have been seperately kept, and I cannot ascertain their amount until his return.

The following is rendered to you an accurate Statement of the Contingent Expenses, allowed Ministers of the United States at different Courts.

London per Annum	$ 2000.
Paris " "	1000.
Madrid	
St Petersburg	800.
Lisbon	
Bogota	
all others except Turkey	500

I have the honor to be with great consideration Your Obedt Servt
Tarpley Catlett
Secretary of Legation

Texan Legation
Washington City June 17 1837.

To Hon Memucan Hunt
Chargé d'Affaires of the Republic of Texas
Sir

I have the honor to transmit to you the following Copy of a communication from the Department of State of the United States, complaining of the Republic of Texas in the Ground of its having established a Land Office within the limits of the State of Arkansas.

With great consideration I remain Your Obedt Servt
Tarpley Catlett

Exhibit No 19

T. Catlett
Concerning a Communication from Mr Forsyth.

Mr Forsyth to Mr Bartlett relative to disputed territory

Department of State.
Washington 17th June 1837.

To Fairfax Catlett Esq.
Texian Legation &c

Sir

I have the honor to inform you that a letter was received at this Department a few days since from the Executive of Arkansas stating that the Republic of Texas had by an act of its Legislature, proceeded to lay off a tract of land distant, within its own limits, and to fix a station for the establishment of a district embracing our entire County and the greater part of another belonging to Arkansas, which act it was said was to be executed at once, and the Land Office under the control of the Texian Republic to be forthwith established in the County of Miller in the State of Arkansas. This information had been received with great surprise, the more especially as provision was made by Congress at its last Session for running the boundary line between the two Countries. During the unsettled state of that line, the Government of the United States had carefully refrained from extending the limits of its occupation in that quarter, and I have now the honor to request, that you will forthwith apprise the Government of Texas, that while the question is pending no encroachment can be permitted upon the territory occupied by the United States.

I have the honor to be Sir Your
Obedient Servant
Signed/ John Forsyth.

P. S.

It appears from the above letter, 1st that a considerable portion of the disputed land district is already actually occupied by the United States 2d. that until the boundary line is settled, the United States are determined to hold on to all the land at present in its occupancy. The sooner therefore the question is settled the better it will be for Texas. And would it not be as easy a way as any other in answering that letter to appoint a Commissioner to meet one on the part of the United States to run the disputed line forthwith?

Mr Hunt on the subject of Annexation of Texas to the U. States.

Vicksburg Miss.
April 15th 1837.

To The Hon.ble
Pinckney Henderson
Secy of State &c

"Despatch no 20"

Sir

I have been ill at this place more than two weeks. But am now restored. I wrote to you when I was on the eve of leaving Ala Mississippi now I have an opportunity to do so again. I repeat the propriety of sending an agent to Great Britain to ask the recognition of our Independence. That Government will naturally ask whether, as it is the expressed wish of the Texian nation to become annexed to the United States by an almost unanimous vote, that to make a Treaty with Texas to be annulled at her pleasure, could not be obtained to form a guarantee, and that unless higher and more advantageous terms could be offered to Great Britain, she would not enter into Diplomatic relations with Texas, and it will be my own view be the policy of our Government to promise to Great Britain (in event of our finding an agent there, and failing to be connected to these States, after all efforts have failed) to give to her by Treaty such commercial advantages as it will be our interest to do, the which event she will be induced to recognize us; the means in attaining which, will I believe guarantee our annexation to this Country. For so anxious are the Southern States to procure the annexation of Texas to the Union, that I believe the consequence of a failure to accomplish it, will produce a dissolution of

this country that any exercise of such determination will be withheld however, as a favor, right & liberties believe, and to be recognized as Independent by Great Britain with the expectation and belief on the part of this State that such relations would be entered into as to prevent forever our annexation to the latter would at once make up the issue and our success or failure in accomplishing the desirable end of annexation be determined upon by this Government, and even the Northern politicians sooner than see the consequences, to which I have adverted, would perhaps advocate our connexion. The North cannot prosper without the existence of a confederacy with the South, on the other hands the South cannot only exist without the north, but prosper to a much higher degree Seperated, and with Texas annexed and the power to overrun all Mexico, and make such a disposition of that Country as it may be her interest to do until it comes be prosperd throughout with Anglo Americans, would make a Southern Confederacy with such consequences, dreadfully sir terrible to contemplate it the greatest nation upon earth. The calculating Northern politicians & Fanatics this results. Should not hesitate to accede to the annexation of Texas The South would be less excited upon that Subject but for the action of this late congress upon a resolution relating to a proposition of J. Q. Adams asking the Speaker of the House of Representatives whether it would be in order to present a petition from Slaves, the action upon which you have seen, doubtless in the Public Journals I know of no circumstance which has so much increased the zeal of Southern politicians and we may justly set down an act of our ~~of rash~~ worst enemies as being more advantageous to us than the most studied movements of our best friends. If we send a Minister to England publicly it would set all the abolition papers in that Country instantly upon us and such and effect might be produced as to present a result contrary to that which would otherwise occur. The same consequences might exist here too. For so soon as it is known that we have opened diplomatic relations with Great Britain and it is probable that the result will be such as to prevent annexation, a paper issued with the abolitionists and the friends of annexation will be the consequence, and Mr Webster himself has been heard to say, that no politician in New England can maintain himself who opposed the abolition of Slavery. Sir it are bould mean and I have doubt I spoke advisedly and truly. This conviction induced me to think it best, for our success that such action should occur on our part as to produce as little excitement in the North as practicable until we succeed or fail in the attainment of the end we desire. For I am satisfied, at least for a time, will overrule the worst and most Sabetary dispositions of the most designing & influential politicians. But the other hand if we can be recognized as Independent by Great Britain, and bring the subject of annexation suddenly upon this Government, whilst congress is in session, our difficulties will be contended for, with unexcited Legislators which will not be the case should the North become excited upon the subject. The Northern are a law abiding people and if we could once get a treaty of annexation through I believe all difficulties would be over. One of the greatest difficulties which seems to influence a hesitation on the part of the politicians in the annexation, residing in our Slaveholding States, is that it would be a spontaneous act without the consent of Mexico, or a cessation on the part of all hostilities against Texas, unless Santa Anna succeeds as I trust you may hear, we cannot expect this without conquering Mexico, and I know of nothing else which would be a remedy, save the recognition of our Independence by Great Britain for I believe that no scruples would exist on the part of the united States in negotiating a treaty of annexation with Texas, provided a power so respectable as Great Britain were to recognize our Independence, & Extinguish her all claims to Texas, or some respectable nation recognized, we may not anticipate even an action upon the subject by the United States. I received from Mr Calhoun a writing of Legation, since my arrival here a letter mentioning that he had made a communication from the Secretary of State of the term

such a disposition of the united States troops should be made near the borders of Texas as to prevent (if practicable) the incursions of Indian Predatory tribes belonging to the jurisdiction of this Government. This communication had reached you doubtless, as Mr K. informed me that he had forwarded a copy of it to you. I shall visit the Seat of Government of this State when I shall find the Legislature convened on the 17th inst. I shall endeavor to produce as much feeling in favor of annexation as I can. There is nothing now to mar any part of the wish for the accomplishment of that end, and not absurd to say of my full and unconquerable conviction that our interests and happiness could in no way be so much benefited as by its accomplishment, unless it be the annexation of the Slave holding States in event of a dissolution of the Union, which we should receive incalculable benefits from.

Should a communication not have been forwarded to me, directed to the President of the United States in place of the informal one directed to the Secretary of State please attend to it without delay, and it had best be worded in in such a manner as to authorize me to act with full power in the absence of Col Wharton for should there be a specification as recited in any of the Commissions that I am (able) to act in concert, I should be unable to do any thing officially in his absence

Every thing of importance having been accomplished, contained in the instructions of his Excellency the President, with the exception of annexation, and there being no prospect of any action on that important subject by the Executive of the United States, at the present. I have thought it most judicious in me to quit this town and pursue such direction as may be best calculated in my judgment to accomplish the very desirable objects and answer other movements. I have conducted to visit the Hon Thos H Benton at St Louis on my return to Washington, who is already friendly to the accomplishment of annexation, and can do us more essential service in that respect perhaps, than any other one in the United States. I will continue to keep you advised of my movements and actions and should they not entirely accord with the wishes of his Excellency the President, a cheerful acquiescence in my part will be the result of my instructions which it may be his pleasure to suggest, of a different character.

I have the honor, to be, Your obedient Servant

Memucan Hunt

Mr. Hunt relating to Affairs of Texas Generally

U S Vicksburg Miss. May 30th 1837

To The Hon'ble
Dickens Henderson
Secretary of State

Sir

"Despatch No 21"

I wrote to you on the 15th ultimo from this place but failed to forward the communication at the moment for want of a conveyance and subsequently thinking that my stay would be but short at the Seat of Government of this State, and that I should be enabled to add something, have deferred it even up to this time, my stay however has been a protracted one, and much more interesting from the identity of the interests of my Country in connection with it than I had anticipated.

I have with forwarded the report and resolutions of the committee appointed to consider the subject of speedily annexing Texas to the United States both of which were unanimously adopted by the House of Representatives, but for want of time, was not taken up in the Senate.

I transmit herewith for your information a copy of my correspondence with the President and Directors of the Mississippi and Alabama Rail Road Banking Company upon the subject of a loan to the Government of Texas, which letter was made to the Hon Secretary of the Treasury

It is with feelings of the deepest regret, sir, that I learn of the Capture of my colleague - Col Wharton, by the Mexicans. In the loss of this devoted & brave patriot in this particular juncture of our affairs, we lose an able & zealous advocate of our rights, and whilst I regret most deeply the loss of the Hon Secretary, it is mitigated to some extent, by the belief, and almost certain confidence I have that Col W. the Officers and Men will be properly treated. Had Col Wharton have procured the necessary passports from the Government upon his leaving Washington there is no doubt, but that the United States could and would have demanded his release, and I shall not be satisfied until I have examined the laws of nations upon this subject, but that our Government had the right to exhibit upon this infringement of the United States in procuring his liberation. If there is any hope of such a result, I shall insist with entire zeal for its accomplishment.

The Mexican Minister, on protesting against the recognition of the Independence of Texas by the United States, assumes as a determination on the part of that Government to punish any attempt by this Government upon the subject of annexation. I trust it will prevent any actions by this Government upon the subject of annexation, unless England or France, should recognize our Independence, the Secretary of State of the United States having distinctly declared, that unless Mexico recognize our Independence or withdraw all hostile movements against us, we could not listen to any propositions upon the subject. Our position is consequently this, we must either compel Mexico into an acknowledgement of our Independence, or procure its recognition by one of the powers to which I have alluded: before we can hope for any definite action upon the subject by the United States. The former however is the true policy of Texas, and if it is to be conducted by the executive. I should prefer to mingle with my fellow citizens in the camp, than to hold the army honorable and distinguished place which the Executive, the President and Congress should confer upon me, and thereby the loans be effected upon the subject of which I forwarded information by the Secretary of the Treasury a correspondence. I could with the force of several thousand men which added to the present army, would enable us to ascertain a position on the Rio Grande, until an ample force could be procured to march against and take the City of Mexico itself. The deranged State of the finances in this country at this particular time would have the effect of providing the most flattering results in aid of such an expedition, provided the services of those disposed to join the Army were dispensed. Should it be determined, and a fair commencement by Sea that an army of Twenty five thousand choice troops could be procured within six months thereafter, provided it was understood that a navy for the City of Mexico would be undertaken, and I should not be disappointed if the number were double, every man to serve 3 years for an attack on Mexico Itself and members of Congress of the highest character with every possible social and domestic tie, to this home, have said to me that they would join the Texian cause, provided the one was made an offensive one, this step would be extremely unpopular in the United States and a Judicious negotiator could procure a loan of Two Hundred and fifty Thousand Dollars certain, and very probably half a million, and the terms will be as good or better than we could procure unembarrassed. Eight per cent Interest, and a guarantee to the bonds that it shall be received for Public dues, as long as the loan continued, is what the Banks will require, and I believe it to be the interest of our Government to accept it. The length of the loan could be made for as long a time as the Bank charter exists or for as short a time over two years as the Government desired, however it will be an unwise transfer in furnishing a circulating medium for the

entitle our Bonds can entertain question made in doubt. it would give a last satisfactory in payment for their Stocks again, it would stem the effects of giving out Credit abroad the Commissioners were employed by the Government would be enabled to grant them loan as soon as completed on as favorable terms as the United States only could have procured a loan when the arrangement of the finances in this country were so unsettled.

The Mississippi & Alabama Rail Road Bank like all others in this State, and Georgia almost all the United States, has left specie payment, but to my knowledge it is in a better condition than any Bank in the State, and Future in the Southern Country. Has recently gone into operation, and the failure of the Banks at New York, caused Some of its notes payable in that place, which they were to take up, to be protested, which caused a check to the disbursements, as on the 1st against the 1st month was from suspended dilligence its capital, and a larger amount of specie in proportion than any Bank in the State, and col Mitchel President of the Planters Bank has been heard to say, he thinks that the Mississippi and Alabama Rail Road Bank at Brandon was in a better condition than any Bank in the State.

In consequence of the change in our affairs I shall not visit col Burton at St Louis as contemplated, but proceed to Washington with as little delay as practicable, to attend to the settlement of Col Mitchel's distribution, and any other duties which may have accumulated in my absence.

Gen Richards & Lumkin will live on their own estates, & our State will be well cheapened, and there is no Gentleman in the State who I would sooner see in the room of the Government of Texas, and more with whom I should be more delighted to be associated, Gen Lumkin, in private conversation, will give you as flattering political prospects as any Gentleman, or this office who has left this Republic, but communicate in relation to them are unnecessary, as his Excellency the President, and yourself are acquainted with his character and him personally

I am the honor to be Your most Obedient Servant.

Thomas Hunt

U. S. Vicksburg Miss. June 1st 1837

To The Honble "Dispatch N: 22."
J. P. Henderson
Secretary of State of the
Republic of Texas

Dear Sir

Mr. Hunt relative to Caddo Indians &c.

I am indebted to my friend Mr W. F. Ritchie for the perusal of the Message of his Excellency, the President. The subject of the removal of the Caddo Indians, upon our Territory, to which he alludes, and the failure on the part of this Government to allot and enforce a specific settlement within its jurisdiction. after procuring their removal from where they are, will receive my immediate attention after reaching Washington. Our demands upon the subject of the station of an adequate force upon the Frontier, to keep in check these Indians have been complied with by the U. States. The temporary treaty proposed to be adopted by the U. S. States

I hope most sincerely has been agreed to, as should we not be annexed it would be best to be untrammeled in our connexions with with this nation, and the relations which are proposed to be entered into by this Government can be maintained, until the question of annexation is settled with advantage to our Government

I have the honor to be
Your most obt Servant
Memucan Hunt

Texian Legation
Washington City July 11th 1837

To The Honble
Secretary of State of the
Republic of Texas

Mr Hunt Arrival in Washington

"Dispatch No 23"

Sir

I have the honor to inform you that I reached this city on the 26th Ultimo, after a fatiguing journey from Vicksburg, I found Mr Secretary Catlett absent on a visit to his parents, but I have the pleasure of stating that he is now with me and in excellent health.

On the 1st instant, I addressed a note to the Secretary of State, of which the following is a copy—

Texian Legation
Washington City July 1st 1837

Sir

Mr Hunt Note to Mr Forsyth announcing his Arrival

I have the honor to inform you that, in compliance with the desire of His Excellency the President of the United States, communicated in your note of the 13th of March, I made immediate application to my Government for letters Credential in the proper form, the receipt of which I have the pleasure to communicate, and herewith transmit a copy of, and request that you will do me the honor to take the orders of His Excellency the President as to the delivery of the original and communicate the same as early as may be convenient.

I have the honor to renew the expressions of my most distinguished consideration and esteem

Memucan Hunt

To The Honble
John Forsyth
Secretary of State of the
United States,

Reply—

Department of State
Washington 3d July 1837

Sir—

Mr Forsyth's Reply

I have the honor to acknowledge the receipt of your note of the 1st instant, enclosing a copy of your letter of Credence as Envoy Extraordinary and Minister Plenipotentiary of the Republic of Texas to the United States, and requesting the appointment of a time for the delivery of the original. In reply I have the honor, by the President's direction, to state, that he will be happy to receive you for that purpose at 12 o'clock on Thursday next the 6th instant. If therefore you will

call at this department at a quarter before 12 on that day, I will do myself the honor to accompany you to the Presidents

I have the honor to be
Sir your obedient Servant
H. O. Dayton
Acting Sec'y of State

To His Excellency
General Memucan Hunt
&c &c &c

At the appointed time I was introduced as the accredited Minister of the Republic of Texas, and I will now proceed to lay before you a statement of what transpired between the President, the acting Secretary of State, and myself during the interesting ceremony of my presentation.

M. Hunt's interview with the President of the U. States & presents his Credentials

Mr Forsyth, the Secretary of State, being absent, the courtesies of the department devolved upon his Chief Clerk, who, according to previous arrangements, accompanied me to the house of the President at twelve o'clock on Thursday the 6th. We found his Excellency alone, and I was immediately presented.

He received me with the usual salutation of shaking hands, and after a momentary pause, I addressed him as follows—

Mr President

I have the honor to present to your Excellency a letter from the President of the Republic of Texas, appointing me Minister near this Government. I am particularly instructed by President Houston to express the high personal regard he entertains for you, and the deep solicitude, which he feels for your health and happiness, and to assure you of the warm and devoted attachment of the President and the people of Texas for the Government and citizens of the United States. Speaking the same language, with the same peculiar domestic relations, being the same in blood, and indeed in every thing calculated to unite two people, I am instructed to express an ardent hope, that nearer relations than those of harmonious diplomatic intercourse will ere long exist. I embrace this occasion to express to your Excellency my profound thanks for the kindness and consideration, with which you have been pleased to honor me, since my arrival here last winter.

The President replied to me with great dignity, and much at length, warmly reciprocating the feelings I had expressed, and concluded by inviting me to an interchange with the Secretary of State upon the business of my mission, assuring me, in the last few words "that such negociations as might be entered into by Texas and the United States, he had no doubt would be accompanied with the highest satisfaction to both countries, so long as one like myself represented the Govenment of Texas"

I was exceedingly gratified with the ceremony, and really more embarrassed by the plain, republican simplicity of the President of the United States, than I could possibly have been by all the pomp and pride of the oldest Monarchy in the world. We enjoyed some moments of conversation as to the affairs of Texas, after which I arose and departed, feeling, I trust, justly proude of having been the humble instrument of his, the formal recognition of the sovereignty of my Country.

I wrote you from Vicksburg three dispatches numbered 1, 2, 3, which in the archives of this office, will be numbered 20, 21, 22, which I forwarded by Mr Rudder.

The zeal of that gentleman for whatever is of interest to Texas added to his industry, and energy, I have no doubt caused their delivery at as early a period as was practicable, Mr. Secretary Catlett in the meantime has communicated to you every thing of importance in relation to the transactions with this Government, In compliance with your instructions of the 12th of May, I will defer making any committal to this Government upon the subject of Treaty stipulations, until I shall receive further instructions thereupon from you,

I found Genl Arbuckle here on my arrival, and as he is commander of the forces of the United States, stationed on our north Eastern frontier, I sought to converse with him upon the subject of the Indians and their depredations. He computes the whole number of warriors in the following tribes on the Red river at no more than five or six hundred The Caddoes, Runaway, Cherokees, Kickapoos, Shawnees, and Delawares, He assured me that the strictest watch should be kept over them and every thing within his power done to prevent their depredations, He says that the Caddoes do not count more than from 130 to 150 warriors, The Cherokee chiefs of the main tribe have very friendly feelings, but the Creeks he thinks, are disposed to be turbulent and to effect a settlement between the Brazos and Red River, He states that when the latter Tribe left the east side of the Mississippi, some of the Chiefs were heard to say, that they would go for the present to Arkansas, but that their arms should at an early day, procure for them a home in Texas. owing however to a want of concert among themselves and the strict watch, which is and will continue to be kept over them, General Arbuckle thinks that no apprehensions of injury need be entertained by the people of Texas,

I now beg leave to call your attention to a somewhat extended view of the question of our annexation, The causes likely to operate both for and against us, I will endeavour to state frankly to you, and trust that the great importance of the matters in issue will be an ample excuse for any prolixity I may commit,

Although in my dispatch No 1. Vicksburg No 20 here I urged a secret mission to Great Britain, I am now convinced that the appointment on our part, of a Minister to England is the most fortunate movement we could possibly have made, The mere announcement of the fact in the papers of this Country, has already produced a most favorable effect especially in the Southern States, where the people are and ever have been unanimously in favour of a speedy annexation of Texas, In that section of the Union, indeed, so strong is the feeling in our favour, that I venture to predict an open rupture against the Government, if the Northern Enemies of Texas should gain the ascendency in Congress This appointment of a Minister to England on our part is a plain intimation, that we do not look upon annexation as a matter of course, and the South, thus perceiving that there is some danger of our loss, will, confidently believe, present an unbroken line of resistance against any administration, which may be anti Texian in its policy, From every thing I have seen and heard I believe that were the alternatives presented of the dissolution of the Union or the loss of Texas, the people South of the Potomac would be nearly unanimous for the first, They are united to us by the strongest ties of a Common interest, a Common origin and a Common history and in this age of fanaticism on the subject of slavery, they will force their Government to adopt us, or they will create a new order of things. I am sanguine in the opinion, that the administration will be compelled to make the annexation of Texas a leading measure,

You will readily perceive that the increasing difficulties between this country and Mexico will continue to produce the most favorable results. The United States and Texas, already united by a thousand sympathies, now find themselves still more closely bound together by the conviction that they are the common objects of the bitter hatred and threatened revenge of the people and government of Mexico, and although all hope to recognize us is here looked upon as vain and as nugatory as would be a war against this Country, still these constant threats of vengeance directed alike against them both, are not without a most powerful and to us favorable effect with the people and the Government of the United States—

The disbanding of our army has shown to the world that we are well aware not only of our own strength but of the weakness of the Enemy. The distracted and factious condition of Mexico, the poverty of her treasury and the mercenary character of her soldiers are matters of signal notoriety here, as well as in Texas, and I believe, I may confidently assert, that the people and government of this Country are as confident of our security from a reconquest by Mexico, as we ourselves can be. The Ministers of foreign powers resident here communicating to their respective Courts the confidence which this Government and this people have in our stability and security, will thus prepare the way for any foreign negociation, which may be ultimately necessary by producing favourable impressions respecting us abroad.

I had the pleasure to forward to you by Mr Rudder in a newspaper the report of the select committee of the Legislature of Mississippi on the subject of the immediate annexation of Texas, to which newspaper and to which report I refer you for the feelings and views of the people of that patriotic state. I was requested by the distinguished Chairman of that committee to prepare the report which with the aid of one other gentleman I did, and am happy to inform you that it has already had its effect here. The official paper, viz. the Globe, to the columns of which, we are deeply indebted for the most able and constant support in noticing the report and resolutions, stated that they were unanimously adopted, underscoring the word unanimously.

In the report above alluded to, you will perceive due notice is taken of the Course pursued by Mr Webster, who it would seem, has already taken the field for the Presidency of this Union.

I regret exceedingly to state that the proposed course of this Gentleman and his friends, it is understood will be decidedly hostile to the Cause of Texas. He has already made up the issue upon the question of slavery, and raised the cry of Southern preponderance in the Councils of the Union. His influence lies in the northern and middle states, and is dominant now here except in Massachusetts and Vermont. What he may be able to do with the anti-slavery subject of slavery among the members of Congress representing non-slave holding States, I cannot say, but we derive from his virulent opposition one most important benefit. The warm and unanimous support of the whole South.

It seems to be generally understood that the cabinet of the President is sectionally divided as to the annexation of Texas, but I have from good authority, that the Secretary of the Treasury, Mr Woodbury, has declared his willingness to sustain the views of the President, and, in this event we shall have a majority of one in a cabinet vote. The present condition of this country, distracted in its finances by the universal stoppage of specie payments, is well calculated to gain for us the favorable consideration of the President. The party opposed to his administration ascribe to him

and his predecessor all the pecuniary disasters of the times, and there can be no doubt, but that the clamor on this subject has within the last few months seriously weakened the Jackson party of the Union. In New York and Pennsylvania, where the President was considered invincible, recent events seem to be ominous of a final defeat. In the South too, every thing depends upon the course of the President, as to the subject of slavery, and it seems to be generally conceded that nothing would so much strengthen his party in that quarter of the Union, as a decided and hearty support of the annexation of Texas. I have thought it not an unwise plan to encourage the impression, that, in the event of our annexation, our people would give their support to that administration, under whose real and auspices they were brought into the Union, and I am convinced of the favorable results of such intimations. Indeed, I have been informally assured by a distinguished friend of the President, that he stood ready, as soon as the friends of Texas were well organized, to come out decidedly in favour of annexation, and to throw the whole weight of his influence into Congress to achieve this grand result. I think too, I can plainly perceive, that he is ambitious to distinguish his administration by such an accession of territory and power to the Union, and I think I may safely say, that the people of Texas will not be ungrateful for the distinguished boon of his hearty support, you will perceive from these remarks, that our annexation will be supported by the whole South, (without) I confidently believe a division) and by the party influence of the President in the northern and middle States, and that it will be opposed by those people of the latter named States, who are opposed to the President, to the peculiar institutions of the South, and to the further advance of the great principles of American Government, notwithstanding the boasted ability of Mr. Webster, I am assured of success, and shall feel myself called upon for higher exertions to ensure the defeat of so powerful an adversary.

I beg leave respectfully to suggest the propriety of authorizing me, in the event of the subject of the annexation being brought immediately before the approaching Congress to employ some efficient and able person, having influence with the members of the non-slave holding States to counteract the intrigues of Mr. Webster and the enemies of Texas. I will of course exert every means and power I possess, but it is notorious, that we Texians are watched with suspicion by many of the people of the Eastern and Middle States, and that we are openly and shamefully abused by the press and the party of Mr. Webster. I accordingly repeat that a well paid, efficient and if you please secret agent, acting under my directions and having influence with the members of the non-slave holding States, would be a most important enablement unto the success of our Cause.

I beg leave likewise most respectfully to suggest, that as the party, known in this country as the northern fanatics, are open and constant in their violent denunciations of Texas it is not only impracticable, but absolutely inexpedient to attempt anything like conciliations, We may endanger, by any such course, that firm, devoted and enthusiastic unanimity of the South, which is indeed our main support. Of course, have no reference in these remarks, to the well timed message of His Excellency Genl Houston, upon the subject of the slave trade from other places than the United States, which, I am happy to say, meets my most cordial approbation.

I shall not fail to avail myself of every circumstance, calculated to aid the cause of our annexation, and I assure you, I shall exert myself, both officially and privately, to produce the most favorable impressions respecting us, not only with the people and Government of this country, but the Diplomatic Representatives of foreign powers near this Government. In conclusion, I have the honor to state officially, that Mr. La Branche will be despatched as Chargé d'affaires from this Government to Texas as soon as Mr. Forsyth shall have

have returned to

With sovereign sentiments of regard and consideration
I have the honor to be
Your most Obedient Servant
Edmund Hunt

Texan Legation
Washington City
1st August 1837.

(Despatch No 24)

To The Honble
R. A Irion
Secretary of State of the
Republic of Texas

&c &c &c

M. Hunts
To R. A. Irion
Relative to a
Convention &c
Indians &c.

I have the honor to acknowledge the receipt of your despatch of the 26th June ultimo, containing a copy of the general correspondence, The particular instructions contained in your despatch shall receive my best attention and special attention. For my views at present on the subject of annexation I refer you to my last official letter, dated July 11th number 23. Herewith I enclose you a copy of my correspondence with this government since I wrote to you last, and hope it may be satisfactory to his Excellency the President.

I have this day received from the Honorable Mr. Forsyth, Secretary of the State of the United States a communication of twenty odd pages in length, stating the consideration of his government upon the subject of annexing Texas to the United States, a copy of which will be forwarded to you in a few days. I still entertain the hope that we shall be annexed but the course of the official papers here is no way encouraging. In my last despatch (No 23) I mentioned the fact of a very complimentary manner, and showed what I had written to my friend and relation Mr Joseph H. Jones of North Carolina, who is very intimate with Mr Blair and who I requested me, that he would communicate the fact to him, which he accordingly did, Mr Blair does not wish to cause this Editor to take a position for us upon the subject of annexation but he has failed to do so, or even to publish anything much calculated to benefit us, and all the remarks made in my despatch have as yet failed to produce the effect I had hoped for, I must therefore withdraw what I said in relation to the immediate aid to be expected from the Editor. Mr Blair

It is proper however for me to remark, that the private opinions of the Editor, Mr Blair, are decidedly in favour of annexation, but he has been instructed by the Executive to maintain a neutral position for the present. The fact is that the President as yet has not determined what he will do, or at least he is doubtful as to what course of policy would be most popular, for that course he will be certain to pursue so soon as it is fairly ascertained. If it should be impracticable however, as instructed I will urge this government into a position upon the subject, and my present impression is, that it does not oppose the measure. Should it prove a popular measure, the administration will make it a leading one, we have good reason to believe that Mr Van Buren will be in favour of it, for should he oppose it, he cannot be reelected, and should the measure fail, there will be no small party of men, powerful in their influence, who will openly advocate a withdrawal of the Slave States from the present Confederation, and I do believe that such a proposition would be carried, in which event I have no doubt but that the slave states will instantly annex themselves to Texas. The administration here is in a most unenviable situation, Rives, Talmadge, and other prominent advocates of the late administration differ with it upon the subject of the currency, and it is said that at the called session of Congress, there will be any thing but harmony in the ranks of the Jackson Party. Mr Kendall openly advocated the measure of annexation and in our

fast friends upon that question. He is undoubtedly a man of remarkable ability, and one, based in his skill in carrying through every thing he undertakes.

In my despatch (No. 2 from Vicksburg, No. 21. here) I gave it as my opinion that if Colonel Wharton had obtained a passport from this Government before his departure for Texas that there would have been no difficulty in securing their interference and effecting his release. Since, been Since Confirmed in my opinions by a passage in Martens' Manual, which is regarded as high authority in matters of diplomacy. The following is the passage referred to. "In order that a Public Minister, or other diplomatic agents may be enabled in time of war to reach their destination in Security, it is necessary, that he be furnished with passports or safe conducts, by means of which he is authorized to traverse the territory of the foreign State, with which the government of his own is at war." I have since ascertained, however, that it is not the practice of this government to furnish passports without the limits of its own territory. Every effort has been used to induce them to interfere in his behalf, but without success. I have held four several conversations with Mr Forsyth upon the subject and earnestly argued the matter over with him, and when he had given me distinctly to understand that it was impossible for this government to take any steps for Colonel Wharton's liberation in Consequence of the present delicate position of their relations with Mexico, I then suggested the propriety of a private interference on the part of himself and his associates in office, but this he said would be of no avail, and it would be moreover impossible to seperate their private from their official Capacities in such an application to the Government of Mexico.

An arrangement has been made and agreed upon for the Exchange of the Texas and United States mails, at Ballow's and Gaines' Ferries upon the Sabine, and so soon as Mr Kendall, the Post Master General can dispose of the Contracts for the transportation of the United States mail to those two points, the interchanges may commence. The agreement is, that the postage upon all letters from the two Countries shall be paid to the respective line of Each, and there shall be an Exchange of mail bags at the dividing line.

Since writing the above, I have received intimations which strongly confirm me in my belief that Mr Van Buren will favor annexation.

I have the honor to be
Very respectfully
Your Obedient Servant
Memucan Hunt

Copy of General Hunts, Correspondence with the Secretary of State of the United States

Texian Legation
Washington July 18th 1837

To The Honorable
John Forsyth
Secretary of State of the
United States

Sir

Mr Hunt to Mr Forsyth relating to African Negroes & Indians &c.

I am instructed by the Government of Texas to inform you, that they have lately received intelligence of certain arrangements having been made for the purpose of purchasing negroes, recently imported from Africa, into the islands of Cuba with the view of introducing them within the limits of Texas.

Their plan is to evade the law, which was passed by the Texian Congress last winter, making it piracy to introduce slaves from any other country than the United States, by landing them on this side of the Sabine and transporting them across that river into Texas.

It is the ardent desire of my Government not only to preclude a

suspicions of connivance, on this traffic, but also to lend their most efficient aid in putting it down. The condition of our navy, however, at present, is not such as would justify it being diverted from the immediate protection of the coast. I have therefore the honor to request, in obedience to my instructions, that the Government of the United States will adopt such measures as will defeat the arrangements above alluded to and thus aid in giving efficacy to a law, which was enacted in accordance with the enlightened spirit of the age and the established policy of the United States.

I have also the honor to inform you that certain Indians from the United States are still committing their depredations upon the citizens of our Eastern Frontiers, and again I would urge the terms of the existing treaties, relative to the control of the Indians tribes in that quarter.

I am instructed to complain of a trading establishment on the Red River owned or superintended by a Mr. Coffee, who, it is said, has been engaged in the reprehensible practice of encouraging the Indians in their predatory incursions, by purchasing horses and mules, and such other property as they can manage to carry off from our Citizens, a practice, so outrageous in itself, and so dangerous to the peace of that frontier, that I earnestly hope that the Government of the United States, if they should not deem it expedient to restrict the privileges of such establishments to peltries alone, will lay an express prohibition upon their trade with all those tribes of Indians, / except so far as relates to peltries, which have been in the habit of Committing these depredations, whether residing within the limits of Texas or under the Jurisdiction of the United States.

I have the honor to renew to you the assurances of my most distinguished consideration

(Signed) Memucan Hunt

Reply of Mr. Forsyth
Department of State
Washington 24th. July 1837.

To His Excellency
General Memucan Hunt

Mr Forsyth to Mr Hunt relative to Indians.

Sir,

I have the honor to inform you that that part of your note of the 18th. instant which complains of depredations on the Eastern Frontier of Texas by Indians from the United States, and of a trading establishment on Red River, alleged to be in the practice of abetting them, has been referred to the Secretary of War, to whose department the subject belongs. More specific information, however, will probably be deemed necessary, to enable the officers of the United States to direct their operations with efficiency for the purpose of restraining the Indians and their abettors.

I have the honor to renew to you the assurances of my most distinguished Consideration

(Signed) John Forsyth

Another reply of Mr. Forsyth
to the same letter
Department of State Washington
24th. July 1837

To His Excellency
General Memucan Hunt

Sir,

I have the honor to acknowledge the receipt

of your note of the 18th instant. An answer to that part of it, which represents that information has been given to the government of Texas of arrangements having been made to introduce African negroes into that country by way of the United States, I have the honor to state, that this government is prepared to use all the means necessary to prevent the execution of such a design. Efficient steps cannot, however be taken by the United States for that purpose until more detailed information respecting the scheme shall be furnished. It is desirable, therefore, to know what grounds your government has for believing that such a project is in contemplation, and the particulars of the information given; who are to be the actors and participators in the plan, at what point or points, and when are the negroes to be landed. The Texian government may be assured that as soon as this information is supplied, the President will lose no time in adopting the most efficient measures to frustrate any attempt to violate the laws of the United States, or to make any portion of their territory the pretext for evading the laws of a neighbouring State against the slave trade.

Mr. Forsyth to Mr. Hunt in answer to his note relative to African negroes.

I embrace this opportunity to offer you renewed assurances of my highest consideration

(signed) John. Forsyth

Mr. Forsyth
to General Hunt
on the same subject
Department of State
Washington 29th July 1837

To His Excellency
General Memucan. Hunt.

Sir,

Mr. Forsyth to Mr. Hunt transmitting a letter of Secty of War.

I have the honor to transmit a copy of a letter to this department from the department of War, to which a part of your note of the 18th instant was refered, by which you will be remended of the importance of more particular information on the subject thus referred, in order that a proper direction and efficiency may be given to the efforts of this government for the suppression of the acts complained of

I have the honor to offer you renewed assurances of my great consideration

(signed) John. Forsyth

Mr. Poinsett
To Mr. Forsyth
On the same subject
War Department
July 26th 1837

To The Honorable
John Forsyth
Secretary of State,

Sir.

Mr Hunt to Mr Forsyth relating to Indians & Trading houses on Red River

I have the honor to acknowledge the receipt of your letter of the 14th instant communicating an Extract from a note of the Minister of Texas, complaining of predatory incursions of the Indians from the United States into that Country, and of a trading establishment on the Red River, alleged to be in the habit of abbetting them.

With respect to the first part of the complaints, made by the Minister of Texas, it is too general to admit of it being Examined into. If the Minister

will specify the time, place and tribe engaged in committing these depredations. measures will be promptly taken to surpress such hostile movements.

With regard to the complaint, made against one of the trading establishments on the Reds, Rivers, instructions have been given to the proper officer in that quarter of the country, to investigate the circumstances connected with this charge, and if it be found that Mr Coffee has made so improper a use of his licence, to suspend him immediately and withdraw his privelege to trade with the Indians. There is no law, by which the privilege of trading can be restricted to peltries alone: but upon being informed on what part of the frontier, depredations have been committed and what tribes are engaged in such unlawful practices, measures will be taken to prevent their plunder being purchased by any one under the Control of the Government

Very Respectfully
Your most Obt Servt
(Signed) J. R. Poinsett.

General Court.
To Mr Forsyth,
Texan Legation
Washington July 28th 1837.

To The Honble
John Forsyth,
Secretary of State of the
United States

Sir,

I have the Honor to acknowledge the receipt of your two notes of the 24th instant in reply to mine of the 18th In answer to the Mr Hunstone, desiring to know what grounds my government has for believing that a project Mr Forsyth is in contemplation for the introduction of Negroes from Cuba by way of the United relating to the States into Texas, and the particulars upon which that belief is founded: and African Slave who are to be the actors and participators in the plan: and at what point or trade. points, and when the negroes are to be delivered: I have the Honor most respectfully to reply, that the information imparted in my note of the 18th was transmitted to me in a dispatch, dated the 25th of May as having been recently communicated to the Secretary of State of the Republic of Texas, stating that it was the intention of a company to import and land negroes from Cuba near the Sabine river, within the United States, to evade the law which prohibits their introduction from all other places except the United States, But the precise time at which it is to be done and who they are proposing or intending to do this was not communicated. It is a practice which without the constant attention of an ample naval force in the Gulf between the United States and Cuba, it is supposed, must exist for the reason that slaves in Cuba do not sell there generally for more than half the amount of what they are worth in the United States. Consequently, the frustration of the plans of a company in one shipment of negroes from Cuba in this way would not, it is believed, prevent a Continuance of the practice, and in asking your attention to this subject in my note of the 18th it was not to procure Cruizers in the Gulf for a week or a month, but to inform this government that there were arrangements it was understood and believed, in Contemplation to violate the laws of the United States, by introducing through its territory, negro slaves from Cuba into Texas, should the Government of Texas ascertain when and at what time this or any other Company may intend to land negroes from Cuba near Texas, as limited as it is her Naval

since it was considered sufficient to make it unnecessary to desire the aid of the United States for so specific a service in checking the intruders.—

I have the pleasure to avail myself of this opportunity to offer to you renewed assurances of my most distinguished consideration.

(Signed) M Memucan Hunt

Mr Forsyths Reply
Department of State
Washington 31st July 1837

To His Excellency
General Memucan Hunt

Sir,

Mr Forsyth to Mr Hunt relative to spurious Texan trades

I have the honor to acknowledge the receipt of your note of the 28th instant, and to inform you, that it is the intention of the Secretary of War to establish a military post at some eligible point on the Sabine river. Orders will also be given to the commander of the naval forces of the United States in the Gulf of Mexico to cruize off the mouth of that river to prevent the landing of African negroes in the United States. It is hoped that these measures will conduce to the defeat of any project that may have been formed to introduce such negroes into Texas by the way of this country.

I seize this occasion to renew to you the assurances of my high consideration

(Signed) John Forsyth

General Hunt &c
To Mr Forsyth
Texian Legation
Washington August 3rd 1837

To The Honble
John Forsyth
Secretary of State of the
United States

Sir

I have the honor to acknowledge the receipt of Your notes of the 29th and 31st ultimo, and a copy of a letter from the Department of War to the Department of State dated the 26th

Mr Hunt to Mr Forsyth relative to Indian affairs

The government of Texas will be greatly gratified at the disposition so promptly expressed by the government of the United States to aid in preventing the indirect Slave trade from Cuba to Texas.

The ready adoption of measures by this government for the purpose of enforcing the stipulations of the treaties relating to the Indians upon the Texian frontier, will also be especially gratifying to my government, and in anticipation of the just disposition of this government to enforce the treaty stipulations referred to, I have been instructed to invite it to order its troops within the limits of the territory of Texas, should it be thought necessary, and as far as the river Trinity, and to make such temporary fortifications as may be advisable for their protection and convenience. The government of Texas will doubtless be satisfied, that every necessary effort will be made by the United States, to prevent Indian depredations on its frontier.

I have the honor to renew to you the assurances of my most

distinguished consideration

(Signed) Memucan. Hunt

General Hunt
To Mr Forsyth
Texian Legation
Washington August 4th 1837

To The Honble
John Forsyth
Secretary of State of the
United States.

Sir

Mr. Hunt to Mr Forsyth relative to appointment of Commr to run the Boundary line

I have the honor to inform you that I have been instructed by my government to notify you of the appointment of a Commissioner for the purpose of running that portion of the boundary line between the United States and Texas extending from the mouth of the Sabine to the Red River, and to express the desire that a similar agent or agents may be appointed by this Government and as early a day set apart for the purpose as may be convenient.

It gives me great pleasure to renew to you the assurances of my most distinguished consideration and regard.

(Signed) Memucan. Hunt.

Mr Forsyth
To General Hunt
Department of State
Washington 5th August 1837

To His Excellency
General Memucan Hunt

Sir

Mr Forsyth to Mr Hunt transmitting letter from War Dept

I have the honor to transmit a copy of a letter to this department from the department of War, containing an abstract from the answers that have been received at that department from the officers who were directed to enquire into the alleged depredations upon the inhabitants of Texas by Indians from the United States.

I avail myself of the occasion to renew to you the assurances of my great consideration.

(Signed) John Forsyth

Mr Poinsett
To Mr Forsyth
War Department
August 4th 1837

To The Honble
John Forsyth
Secretary of State of the
United States

Sir

Mr Poinsett to Mr Forsyth relative to Indies on the Frontier

I have the honor to inform you that answers have been received at this department from the officers on the South Western Frontier, charged to inquire into and ascertain the truth of the depredations supposed to have been committed by Indians under the jurisdiction of the United States upon the inhabitants of Texas. They report that murders and robberies have been committed, far in the interior of Texas, by small straggling parties of Indians supposed, however, to belong to tribes residing within that country. An officer was sent to the Caddoes, who have been accused of being concerned in these unlawful acts, but they deny having committed any depredations on the whites and appear anxious to be on friendly terms with them; the commanding officer says, in continuation, that it cannot be supposed that people would be so foolish as to commit hostilities against the United States, and they consider the people of Texas, being Americans, as the same people with those of the United States. It is believed however, that some of the straggling parties, which committed depredations in the interior of Texas, were composed of natives of this tribe, and orders have been given to the officers commanding on the frontier, to watch with increased vigilance over the conduct of the Indians, and to prevent the committing of any depredations on the inhabitants of Texas. These orders have been reiterated and will it is hoped produce the desired effect.

Very Respectfully
Your most ob.t Servant
(Signed) J. R. Poinsett

Propositions to the
Secretary of State of
The United States,
For the annexation of Texas
To the United States.

Texian Legation
Washington City August 4th 1837

To The Hon.ble
John Forsyth
Secretary of State of the
United States.

Sir

The undersigned, Envoy Extraordinary & Minister Plenipotentiary of the Republic of Texas, in conformity with Mr Hunt and Mr Forsyth's instructions from his Government, asks the consideration of the Honorable proposition John Forsyth, Secretary of State of the United States, on the subject of a propos- for Annexation ition for the annexation of Texas to the United States, and which proposition of Texas to the he has now the honor most respectfully to submit. U. States

In presenting the questions through the Honorable the Secre- tary of State of the United States to this Government, the undersigned solicits in advance the greatest indulgence for the latitude, which it will be necessary to take in opening this negociation. The subject is one of so much magnitude, that it is impossible in a single paper to exhibit even its general outlines, and the undersigned will, perhaps, have sufficiently trespassed upon the attention of the Honorable the Secretary of State, when he shall have, in the first place, briefly set forth a comparative history of Texas, and Mexico, which has been so much misrepresented by the recent Envoy of Mexico, to this Government

and, when, in the second place, he shall have stated the main ground upon which the Union of the two Republics is proposed by Texas, will shall have concluded by suggesting some few of the great advantages, both national and social, which would result to the two contracting parties from the proposed amalgamation of their respective Sovereignties.

With the exception of the first Presidency under the Federal constitution, that of Victoria, Mexico has exhibited a series of revolutions attended with the most disastrous civil wars. Iturbide, who was chosen and proclaimed by a licentious soldiery, was dethroned and put to death after a short reign, too turbulent to be regarded, even during that brief period, as a government. The rights of property were not respected and foreign merchants as well as native were exposed to his rapacity witness the seizure of money at Perote.

After the downfall of Iturbide, and the adoption of the constitution of 1824 which is a transcript of that of the United States, affairs were for some time, conducted peaceably, and were only interrupted by the episode of the revolt of General Bravo, the Vice President. Yet during that short period, the laws of nations were repeatedly violated and the property of foreign merchants preyed upon by the corrupt and venal agents of the government, as the history of the claims of American citizens. The termination of Victoria's Presidency was disgraced by the quarrel between the rival candidates for the succession, which, after a bloody contest, terminated by elevating to the Presidency the unsuccessful candidate, General Guerrero and the banishment of Pedraza his competitor. A short year, marked with disorder and misrule terminated the career of this revolutionary Hero. The struggle cost him his power and his life and the whole country was convulsed by the civil strife. The Vice President, Bustamente, succeeded Guerrero, but the war continued in different parts of Mexico rendering life and property insecure. After a short period of convulsions, Bustamente was vanished and Santa Anna succeeded to power. He was elevated by the joint efforts of the Aristocracy and the Priesthood, who made use of the successful soldier of fortune to overthrow the free institutions of the country. His reign of misrule and career of blood, will be presently noticed. He is now at Mango de Clavo, the tiger in his lair, ready to go forth, seeking whom he may devour. It is true, Bustamente is again in power, but it is notorious that the people have been juggled out of their liberties and are dissatisfied. The government, which was their choice, has been overthrown and centralism forced upon them by the sword, this change, sanctioned by mock acts of a spurious legislature and the States reduced to submission by force.

With this brief view of the factious struggles of Mexico, the Undersigned approaches the exposition of the history of Texas, which he conceives to be an important preliminary to the due consideration of the subject of annexation.

Until the settlement of Austin's first colony in 1821, Texas for the most part, was an unexplored wilderness. The Spaniards had endeavoured in vain, to rescue it from the wild tribes of the forest, so early as the year 1692, the old Spanish town of Bexar was founded: in 1716. La Bahia, afterwards Goliad: Nacogdoches in 1732. Victoria at a later period. But these old Spanish settlements continued to be surrounded by prowling parties of savage Indians, and up to the years 1821, Texian civilization, was only to be found within the narrow precincts of their respective jurisdictions.

On the 17th of January 1821, Moses Austin obtained permission from the Supreme Government of the Eastern Internal provinces of new Spain at Monterey, to settle a colony of Emigrants in Texas, and in the month of December following, his son, Stephen F. Austin, who had undertaken the enterprise in obedience to the testamentary request of his father, appeared upon the river Brazos with the first Anglo-American

settlers. From this period may be dated the Anglo American history of a country which has grown into notice with unexampled rapidity and already presents itself as another monument of the indomitable energy of the extraordinary race by which it was populated

In the meantime Mexico had shaken off the Spanish yoke and established herself as a sovereign and independant government, Anxious however to increase her political influence and resources by every means in her power, and prompted by a desire to repress the Indians on her northern frontier observing too the beneficial effects, resulting from the liberal system of naturalization, adopted in the United States, she determined to pursue a similar course of policy in relation to aliens.

Accordingly on the 4th of January 1823 a national colonization law was adopted by the Mexican Congress and approved by the Emperor Don Augustin Iturbide, and on the 18th of February, a decree was issued, authorising Austin to proceed with his colony, which decree, after the abdication of Iturbide and the change of government, consequent thereon, was confirmed by the first Executive Council, in accordance with a special order of the Mexican Congress.

On the 2nd of February 1824 the federal constitution of Mexico, based upon that of the United States, was proclaimed as the established policy of the land, and by a decree of the 7th of May of the same year, the provinces of Texas and Coahuila, were provisionally united to form one of the constituent and sovereign States of the Mexican Confederacy

On the 18th of August, another general colonization law was passed and ratified by the Supreme Government at the City of Mexico, and Foreigners, emigrating to the country and complying with the terms of the said law, were guaranteed in the protection of their persons and property and all the rights, liberties and immunities of Mexican Citizens. Moreover, by the State colonization laws of Coahuila and Texas of the 24th of March 1825. they were specifically invited to come and settle within the limits of that special State jurisdiction.

Under these various enactments, but particularly after the adoption of the federal constitution, the current of emigration continued to flow in and spread itself with accelerated rapidity over the fertile domain of the then province of Texas. The forest gave way to the axe of the pioneer the wild prairie, to the plough share of the husbandman. Plantations were opened, Villages sprung up on the hunting ground of the savage, new colonies were introduced, planted, fostered, and matured, and in the brief period of nine years from the first settlement under Austin, the Enterprise of the Anglo American settler had explored the whole southern moiety of the province, redeemed it from the wilderness of the wild beast and the savage, covered it with a hardy and industrious population and intermixed his labour with its most valuable soils.

True in emigrating to Texas, the enterprising colonist had expatriated himself and foregone the well tried institutions of his mother land, but the institutions he now lived under were modelled upon those he had reluctantly abandoned, His spirit and his habits and his inbred and uncompromising republicanism continued the same, and he was as ready to resist the invasion of his chartered rights under the Mexican Constitution of '24 as he would have been to have thrown himself into the breach in behalf of that sacred instrument, under which he had been born and educated

Up to the year 1830. the people of Texas had taken but little concern in the series of political convulsions, which had so closely followed one another in the interior of Mexico, so long as they were left unmolested,

in the enjoyment of their own rights their natural disposition for peace restained them from participating in the internal commotions of the other States But their rapidly growing strength and steady adherence to republican principles began now to attract the notice and excite the jealousy of the Supreme Government this was plainly evinced by the passage of the arbitrary law of the 6th of April 1830, by which the further introduction or immigration of American settlers into Texas was expressly and totally prohibited for the future, Military posts were established over the province, the civil authorities were trampled under foot and the people of Texas for a time, were subjected to the capricious tyranny of unrestrained military misrule.

In 1832, Bustamente had established himself upon the ruins of the federal Constitution. The colonists now fleu to arms on the 20th of June, with greatly inferior numbers they besieged and took the fort at Velasco. they then attacked the garrison at Anahuac, and reduced that also. This achievement was shortly followed by the reduction of the garrison at Nacogdoches, and in December of the same year, upon the suspension of hostilities between General Santa Anna and Bustamente, the colonists found themselves once more in the quiet enjoyment of the rights guaranteed to them by the constitution and the laws under which they had consented to become Mexican Citizens

1833. Texas now conscious of her integral strength and anxious to be erected into a seperate state in conformity with the decree of the 7th May 1824 which had promised and secured to her a seperate constitution, so soon as she was in possession of the necessary elements for self government, assembled a general convention at San Felipe for the purpose of drafting an instrument, suited to the wants and peculiar character and habits of her people. accordingly in the Spring of the same year Stephen F Austin was commissioned to present the constitution agreed upon, with a petition for the fulfilment of the said decree of the 7th of May. The respectful petition of the people of Texas was treated with disdain, and their Commissioner incacerated in a dungeon

1835, Affairs were now vergeing to an important crisis General Antonio Lopez de Santa Anna had openly declared in favor of centralism, which however Specious in its pretences was really based upon the downfall of the State governments and the consolidation of all power civil and military, in the hands of a single individual. Many of the States had recourse to arms in support of their Sovereignty and Santa Anna, took the field against them the blood stained march of the Usurper was invariably attended with the most triumphant success, one by one the States toppled and fell The legislature of Coahuila and Texas was dissolved at the point of the bayonet, the noble state of Zacatecas, battling to the last for her liberties and weltering in the life blood of her butchered citizens, was forced to yield to the relentless terms of the Dictator, Mexican liberty fled and found her only place of refuge among the Anglo Americans of Texas—

Corresponding Committees of Vigulance and safety were now formed in all the Municipalities of the province, with a single voice, they declared for the support of the Constitution and an immediate appeal to arms. There was no alternative left them and the people of Texas plunged into the Contest for the protection of their liberties. on the 28th of September 1835, they defeated a detachment of Mexicans at Gonzales. On the 9th of October, they stormed and took the strong fortress of Goliad. In the same month, they invested the City of San Antonio de Bexar. On the 28th they fought the battle of Conception and with 92 men obtained a signal victory over 400 Mexican regulars. On the 3rd of November they captured the garrison at Lepantitlan. Shortly afterwards they defeated the Mexicans at

San Patricio. On the 8th the enemy were again discomfited in the vicinity of San Antonia. On the 26th they were once more routed with very considerable loss. On the 5th of December, the town of San Antonia was stormed by 300 Texians under the gallant Mclam, and after five days incessant fighting General Cos was forced to capitulate, and 1300 Mexicans were set at liberty upon their parole of honor "that they would not in any way thereafter oppose the restablishment of the federal constitution of 1824." Thus ended the first campaign, and the flag of the constitution still continued to wave in Texas, but of all Mexico, in Texas alone.

November the 3rd 1835 In the mean time the delegates of the people of Texas had assembled in general consultation at San Felipe de Austin Their deliberations resulted in a solemn declaration, that they had taken up arms in defence of the republican principles of the federal constitution of Mexico of 1824 that they would continue faithful to the Mexican Confederacy, so long as it should be governed by the constitution and laws that were framed for the protection of their political rights; that they were no longer morally or civilly bound by the compact of Union, but that stimulated by the generosity and sympathy common to a free people they offered their support and assistance to such of the members of the Confederacy as would take up arms against Military despotism. This declaration met with no response from the interior, and Texas was left alone and single handed to carry on the war against the forged Dictator

Before the dissolution of the Consultation, a provisional government was organized and the 1st of March 1836. appointed for the meeting of a new Convention.

In the month of February 1836, General Santa Anna appeared on the river San Antonia in Texas at the head of a well appointed army of 8000 men On the 23d he entered the town of San Antonia de Bexar, and the Texian garrison one hundred and fifty in number retired within the walls of the Alamo. On the 6th of March after an incessant bombardment of several days, the Alamo was taken by assault and Travis, Bowie, and Crockett with their little band of Heroes, were all put to the sword. The Mexican loss before this fort in killed and wounded amounted to near fifteen hundred. On the 10th of March near Goliad, the Texians under Fannin were surrounded and attacked by a much superior force of Mexicans under Urrea in the middle of an open prairie, the enemy were beaten off, but the next morning receiving a strong reinforcement with Artillery from Goliad, the Texian troops being completely hemmed in, and cut off entirely from water surrendered on condition of being released upon parole and transported to the United States. The terms of the capitulation were shamefully violated, and Fannin and his com-rades were treacherously massacred in cold blood.

Notwithstanding the near approach of the Mexican forces reeking as they were from their recent victories in the interior, and headed by a leader whom they believed to be invincible, the newly elected Convention met at Washington at the appointed time and, in conformity with their instructions, on the 2nd of March 1836 made a formal and absolute declaration of Independence. They then proceeded to frame a Constitution to be submitted to the people of independent Texas for adoption, and after organizing a Government ad interim composed of a President, Vice President and Cabinet, they adjourned in time for many of their number to join the patriot army under General Houston, before his meeting with the enemy. On the 21st of April, Texian Independence was sealed and consecrated by the blood of its enemies on the field of San Jacinto. The Mexican Gene

and President, was there met by General Houston, the division he commanded in person totally annehilated, he himself was made prisoner and became a supplicant for the poor boon of his forfeited life at the hands of a magnanimous victor, On the 24th of April, the shattered remnant of the Mexican Army amounting in all, to only four thousand worn out and dispirited wretches commenced their retreat in a most miserable condition and were permitted to evacuate the country with all possible celerity, in accordance with the terms of the armistice agreed with their captive leader and his next in Command.

It is thus that Texan independence has been achieved The justice of this Government has proclaimed to the world its acknowledgment of that independence, and its recognition of Texas as one of the sovereignties of the earth. The Undersigned feels emboldened by these high reflections, and approaches with an anxious solicitude but a just confidence the proposition to unite the two people under one and the same government.

Numerous examples of the amalgamation of sovereignties may be found in the history of nations, but force and not a mutual interest and affection has been the too general inducement to the formation of such bonds, and it is perhaps impossible to find in the annals of any age a complete precedent of the one now under discussion. Texas seeks to be annexed, first, because she is a nation of the same blood, with the people of the United States. The history of this country is her history. She claims annexation by the kindred ties of blood, language, institutions, by a common origin, by a common history, and by a common freedom, Her gallant sons were born upon your soil and they exult in the conviction, that at Goliad, San Antonio, Conception and San Jacento, they attested the legitimacy of their Anglo American blood, and, appealing to victories in the cause of liberty, they ask if the single star of Texas is not worthy to be added to the brilliant cluster on their mother flag.

In the short period of two years Texas has revolted formed a provisional government, declared her independence, achieved it by the sword, framed and adopted a civil constitution, established, a permanent government, and obtained at the hands of one of the most powerful governments in the world an acknowledgment of her independence, She has a territory estimated at near two hundred thousand square miles, a population of one hundred thousand, capable of throwing promptly into the field an army of eight thousand strong, and such is the fertility of her soil and the industry of her people, that, besides the productions necessary for the support of her population, her exports of Cotton will probably this year amount to fifty thousand bales. Her revenue arising from imports and taxes, under a law of the late Congress, exclusive of the income accruing from the sales of her public domain, has been estimated at half a million of dollars. The great extent of her public domain, capable of sustaining a population of ten millions, embracing every variety of soil and blessed with a climate most propitious for agricultural pursuits, justifies the assertion, that Texas is for her population, a nation of equal resources with any other on the globe. The Undersigned therefore feels confident that the Honorable the Secretary of State, will at once perceive that the people of Texas in assigning their affection for the people of the United States as their principal reason for desiring annexation, are amply provided with all the resources to become of themselves a powerful nation. Thus then it is that Texas in seeking to place herself among the States of the Union is prompted merely by a filial reverence for the constitution and the people of the United States. She has no expectation of an invasion, much less of a reconquest at the hands of Mexico. The humiliating defeat and capture of General Santa Anna

at San Jacinto is fresh upon the memories of the Soldiery to justify the indulgence of any such apprehensions, nor does she seek annexation as a shield of protection against the interference of European Monarchies. Since the recognition of her independence by the government of this Country, she has too much reliance upon the wisdom and the justice of England and France, to suppose that either of the Crowned Heads of those two nations will occupy any other than positions of decided neutrality with reference to the difficulties between Mexico and herself, and should this proposition of annexation not be acceded to by the government of the United States, she confidently expects at the hands of every civilized nation of Europe the honors of a recognition as a preliminary step to the formation of treaties of amity and commerce.

On reviewing the interests of the two Republics involved in this question of annexation, the undersigned cannot concede that the United States encounters an equal sacrifice with the people of Texas. Texas brings to this negociation not only the resources already recapitulated but her sovereignty. She brings to that which in the eyes of the naval powers of Europe will constitute the material ground for the formation of the most liberal commercial treaties viz, her immence Forests of live Oak comprising according to the estimate of President Houston in his Message of the 5th of May 1837 four fifths of all that species of timber now in the world she brings too a market for all the various manufactures and for all agricultural pursuits of the United States, excepting those of cotton and sugar, and these she will contribute from her own soil to swell the already colossal amount of the exports of this nation. The territory and with it the enterprise of the country will be extended, her political power will be increased, and the Undersigned trusts that he will not be considered intrusive, in expressing his deep conviction, that the Union of these States will be strengthened by the annexation of a people, whose proudest impulses are for its Continuance and its glory.

What advantages the United States brings to this negociation the Undersigned will not presume to suggest. Her immense resources, her splendid fleets, her power to raise armies, her magnificient government, her unexampled career of prosperity, her incomparable administration of justice, and finally, all her attributes of greatness are sources of as much congratulation to the people of Texas as they can possibly be to herself; what Texas wishes at the hands of the government of this Union is simply annexation, an amalgamation of flags, and the Undersigned assures the Honorable the Secretary of State, that this is the solitary advantage which he seeks to gain in this negociation, but which he begs leave to say he hopes to accomplish upon the high principal of a strict adherence to the just rights and dignity of the sovereignty of the Texian nation.

The Undersigned will not conceal from the honorable the Secretary of State his apprehensions, that any delay in the conclusion of the treaty of annexation may be fatal to its ultimate accomplishment. Diplomatic relations with foreign powers are now in the progress of being established and the result of these interchanges will be commercial treaties, involving difficulties, which may be insurmountable in any subsequent arrangement of the question. And, therefore the Undersigned is especially instructed to urge, with as little delay as possible the immediate discussion and negociation for a treaty of annexation.

Texas is not disposed to yield to any foreign nation the privileges of her coast involving the command of the Gulf of Mexico, nor can she concede them to the United States unless in a treaty of Union. As an independent power, her interests would conflict with those of the United States, and without annexation, her struggle in the formation of commercial treaties would most naturally be directed to the establishment of the principle of a preference of her cotton and other products, in foreign markets over those of the United States, and such relations, when once established, would, it will be at once perceived, very much embarrass if not render totally impracticable a treaty of Annexation. It is a matter not to be disguised, that Texas must

chiefly people her extensive domain from the United States, with a soil better adapted to the cultivation of cotton and sugar than that of this country, and with all the benefits of commercial facilities, concentrated upon the advancement of these two interests, she could present herself as a powerful rival to the agriculture of the Union, with the same political institutions, a cheaper soil and superior advantages to the cotton and sugar planter, she would drain this country of much of her most valuable labor and population, but whether to such an extent as seriously to affect the interest of the United States, the undersigned will not presume to suggest. Texas, too as an independent nation, must in the regulation of her land system, present in the cheapness of her prices the highest inducements to emigration, and will no doubt soon claim the attention of that transatlantic enterprise and capital which now flows into the United States.

The Undersigned beg leave, most respectfully to suggest to the Honorable the Secretary of State, that in the event of Texas remaining in the attitude of an independent power, there will arise from the very strict resemblance of the people and the institutions of the two countries, many questions of conflicting interest, the adjustment of which will be most difficult and painful. It would be impossible for the people of Texas to regard those of the United States in the character of foreigners, and seperated from one another by only an imaginary line; it may fairly be predicted that the local authorities of the two powers would come into frequent and violent collision. The administration of the law would be interrupted in its penalties evaded and in the general entanglement of jurisdictions upon the frontier, it is feared that public justice would not be well sustained. It would be impracticable for either power to enforce its revenue system, and should the tariffs of the two countries differ essentially as must be the case nothing but the enforcement of the most cruel and unpopular laws could possibly secure the just collection of custom house duties.

The Undersigned: in discussing this question, begs to call the attention of the Honorable the Secretary of State to the fact, that the annexation of Texas would ensure to the United States the complete command of the Gulf of Mexico there is no point on the whole coast of that magnificent sea more admirably suited to the purposes of a Naval Depot than Galveston, and situated as it is in the midst of interminable groves of live Oak, ships of war might be built and equipped for sea, as it were, within sight of the very forests out of which they were constructed. This country having already, a vast interest to protect on the shores of the Gulf of Mexico the concentrated trade of the west at New Orleans, of Alabama at Mobile, and of the Florida Cities would find in the possession of Texas the means of occupying a position of decided supremacy over the waters of the Gulf and it is questioned whether even the possession of Cuba would bring with it those facilities of controlling and keeping in check the pretension of a rival power, which would accrue from the extension of the limits of the United States to the line of the Rio del Norte.

It is most respectfully suggested whether the annexation of Texas would not contribute to ensure the peace of the Indian frontier of the two countries, and thus extend to the farthest South West the boundaries of civilization and the protection and privileges of order and good government. By her admission into the Union, the present South Western States could be easily protected from the numerous tribes of the Comanches and other savages now accumulated on their frontier, and it is questioned whether any thing would so impress the minds of the Indian Warriors with a sense of our power as the Union of two people, whom, even divided and single handed, they found invincible in arms.

The Undersigned, most respectfully represents to the

Honorable the Secretary of State, that, in this paper, he does not pretend to have presented all the inducements to the Union of the two Republics. He has not thought it respectful to trespass upon the attention of the Honorable the Secretary of State, either by an extended detail of the resources of Texas or of the mutual benefits, involved in a treaty of annexation; The mineral wealth of the country, comprising valuable mines of silver and lead, and salt springs in great abundance, has not been properly appreciated, nor has the Undersigned thought it necessary to allude to the immense fur trade, which would be thrown into the lap of the enterprise of the United States by the annexation of Texas. The great aid and facilities which Texas, as an integral part of this Union might render to the adventurous traders, who in caravans penetrate from Missouri to Santa Fe, and, in general, to the inland trade of the United States, with the countries bordering on the Pacific, have all been left unexplained and the Undersigned throws himself upon the courtesy of the Honorable the Secretary of State in desiring him to believe, that as he has not entered into any of the details of such a treaty of annexation as Texas might propose, but confined himself to the submission of the proposition itself so he has not thought fit to discuss severally all the various interests involved, but merely has subjected them to a general and he trusts a candid review.

Enclosing this paper the Undersigned appeals to the Honorable, the Secretary of State and referring him to the details of the history of the Texian Revolution herein set forth, asks in the name of national honor, humanity and justice, if a nation, whose career has been marked like that of Mexico by a constant violation of the most solemn treaty obligations, by a series of the most licentious revolutions, by a most shameful prostitution of the lives, the liberties and the property of her people, and, in short by every act of perfidy and cruelty, recorded in the history of barbarians, has not thereby forfeited all claims to the respect of the Government of civilized nations, Look to her continued interruptions of the peaceable citizens of Texas, industriously engaged in the improvement of their estates and in the actual aggrandizement of the Mexican Empire, to her demolition by military force of the constitution of 1824, to her degrading incarceration of General Austin, to her bloody war of extermination under President Santa Anna; to her butchery of those gallant Texians, who surrendered their arms under the sacred flag of a capitulation, in which their lives were guaranteed; and pronounced of the enormity of her misdeeds entitles her to be any longer considered, the Undersigned will not say, a nation of responsibility, but even of humanity. The Undersigned, however, forbears to continue this appeal as irrelevant and perhaps as unnecessary to the due consideration of the subject under discussion.

The world will do ample justice to the Magnanimity of Texas in forbearing to visit upon the heads of the recreant tyrant and his captured host that retribution which their offences against the laws of nations and the rights of mankind so signally deserved.

In conclusion the Undersigned, most respectfully begs leave to congratulate the Honorable the Secretary of State upon the spectacle exhibited in this discussion: and which is so honorable a commentary upon the excellency of the Government of this Country Viz, a sovereign free, and, warlike people, fresh from the field of their own victories and glory, seeking to surrender their nationality as the price of a place among the United States to become participants of the wisdom of its laws and of the renown of its arms.

The Undersigned, Minister Plenipotentiary and Envoy Extraordinary of the Republic of Texas, apologizes to the Honorable the Secretary of State of the United States for the great length of this note and begs to tender to the Honorable the Secretary of State

renewed assurances of his most distinguished consideration

Memucan, Hunt

Reply of Mr Forsyth to General Hunts proposition for the annexation of Texas to the United States

Mr Forsyth to Mr Hunts Reply to his proposition for Annexation

The undersigned, Secretary of State of the United States has had the honor to receive the note of His Excellency, General Hunt Envoy Extraordinary and Minister Plenipotentiary of Texas, dated the 4th instant, proposing a negotiation for the purpose of annexing that country to the United States

That communication has been laid before the President, who has considered it with just sensibility. In giving to the undersigned instructions to present in reply a prompt and decisive indication of the course it has been deemed necessary to adopt, the President indulges the confident expectation that no unfriendly spirit towards the government or the people of Texas will or can be imputed to the United States

Neither the duties nor the settled policy of the United States, permit them to enter into an examination of the accuracy of the historical facts related by General Hunt, nor to allow them, if even admitted to be correct, to control the decision of the question presented by him The United States were foremost in acknowledging the independence of Mexico and have uniformly desired and endeavoured to cultivate relations of friendship with that power. Having always since the formation of their government been exempt from Civil wars, they have learnt the value of internal quiet, and have consequently been anxious yet passive spectators of the feuds, with which their neighbour has been afflicted, although in the Controversy between Texas and Mexico circumstances have existed and events have occurred, peculiarly calculated to enlist the sympathies of our people, the effort of the government has been to look upon that dispute also with the same rigid impartiality with which it has regarded all the Mexican commotions

In determining with respect to the independence of other countries, the United States have never taken the question of right between the contending parties into consideration. They have deemed it a dictate of duty and policy to decide upon the question as one of fact merely. This was the course pursued with respect to Mexico herself. It was adhered to when analagous events rendered it proper to investigate the question of Texian independence. That inquiry was made with due circumspection and the result was not arrived at until its probable consequences had been accurately weighed. The possibility of a collision of interests, arising among other causes, from the alleged superior aptitude of the climate and soil of Texas for the growth of some of the staples of the United States, was not overlooked, a sense of duty and a reverence for consistency however, it was considered, left this government no alternative, and

it therefore led the way in recognising Texas, a hope was certainly entertained that this act and the motives that conduced to it, even if no other considerations were to have influence, would point out to the government of Texas the propriety, not only of cherishing intimate and amicable relations with this Country, but of abstaining from other connexions abroad which might be detrimental to the United States. Apart from this however it was presumed that that government would enter upon the execution of the intentions intimated by its Envoy Extraordinary with respect to connexions with foreign powers, with a full understanding of the just and liberal commercial stipulations existing between the United States and other nations. A prevailing principle of those compacts is impartial treatment of the citizens, vessels and productions of the parties in their respective territories. As it was not to be believed, that the commercial allies of the United States would swerve from their engagements, no apprehension was felt that the interests of this country would suffer from the arrangements which Texas might enter into with them

The question of the annexation of a foreign independent State to the United States has never before been presented to this government. Since the adoption of their Constitution, two large additions have been made to the domain originally claimed by the United States. In acquiring them, this government was not actuated by a mere thirst for sway over a broader space. Paramount interests of many members of the confederacy, and the permanent well being of all, imperatively urged upon this government the necessity of an extension of its jurisdiction over Louisiana and Florida. As peace, however, was our cherished policy, never to be departed from unless honor should be perilled by adhering to it, we patiently endured for a time serious inconveniences and privations and sought a transfer of those regions by negociations and not by conquest. The issue of those negotiations was a conditional cession of those countries to the United States. The circumstance, however, of their being colonial possessions of France and Spain and therefore dependent on the Metropolitan governments, renders those transactions materially different from that which would be presented by the question of annexation of Texas. The latter is a state with an independant government, acknowledged such by the United States and claiming a territory beyond, though bordering on the region ceded by France in the treaty of the 30th of April 1803. Whether the Constitution of the United States contemplated the annexation of such a state and if so in what manner that object is to be effected, are questions in the opinion of the President it would be inexpedient to agitate under existing circumstances

So long as Texas shall remain at war while the United States are at peace with her adversary, the proposition of the Texian Minister Plenipotentiary necessarily involves the question of war with that adversary. The United States are bound to Mexico by a treaty of amity and commerce which will be scrupulously observed on their part so long as it can be reasonably hoped that Mexico will perform her duties and respect our rights under it. The United States might justly be suspected of a disregard of the friendly purposes of the compact if the overture of Gneral Hunt were to be even reserved for future consideration, as this would imply a disposition on our part to espouse the quarrel of Texas with Mexico a disposition wholly at variance with the spirit of the treaty, with the uniform policy and obvious welfare of the United States.

The inducements mentioned by General Hunt for the United States to annex Texas to their territory are duly appreciated, but powerful and weighty as certainly they are, they are light when opposed in the scale of reason to treaty obligations and respect for that integrity of character by which the United States have sought to distinguish themselves since the establishment of their right to claim a place in the great family of nations. It is presumed, however, that the motives by which Texas has been governed in making this overture, will have equal force in impelling her to preserve as an independent power the most liberal commercial relations with the United States. Such a disposition will be cheerfully met in a corresponding spirit by this government. If the answer which the undersigned has been directed to give to the proposition of General Hunt should unfortunately work such a change in the sentiments of that Government as to induce an attempt to extend commercial relations elsewhere on terms prejudicial to the United States, this government will be consoled by a consciousness of the rectitude of its intentions and a certainty that although the hazard of transient losses may be incurred by a rigid adherence to just principles, no lasting prosperity can be secured when they are disregarded

The undersigned avails himself of the occasion to offer General Hunt renewed assurances of his very distinguished consideration

(Signed) John Forsyth

Department of State
Washington 25th August 1837

General Hunts
Rejoinder to the foregoing

Texian Legation
Washington City
12th September 1837

To The Honorable
John Forsyth
Secretary of State of the United States

Sir.

Mr. Hunt to Mr Forsyth relating to annexation.

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Texas has the honor to acknowledge the receipt of the note of the Honorable Mr Forsyth, Secretary of State of the United States of the 25th of August, in reply to the propositions which he had the honor to submit on the 4th of the same month to negociate a treaty for the annexation of Texas to the United States.

The Undersigned was aware that, in recognizing the independence of Texas, the question of right was not taken into consideration by the government of the United States. It was with a proper understanding of the settled policy of this government in similar cases, that the claim of Texas to the justice of a recognition was placed by his colleague and himself upon her actual existence as an independent power and the impossibility of a reconquest at the hands of Mexico. Although by the issue of that negociation, the question of fact was satisfactorily determined, it was not deemed inappropriate, after the misrepresentations of the late Envoy Extraordinary and Minister Plenipotentiary of Mexico to preface the proposition for the annexation of Texas to the United States with a plain,

statement of the causes, which led to, and the events, which grew out of her seper-
=ation from Mexico; so conclusively showing that they can never be reunited, and
for an additional reason, which he will presently show, the undersigned adh-
=eres to the opinion, that the simple narrative of facts, which the Honorable
Secretary of State declines examining into, cannot be regarded as irrelevant
in a proposition for the annexation of Texas to the United States.

The venerable Ex-President, was so strongly impressed with a
belief, at one time, during his administration, that the negociation, then
pending for the acquisition of Texas, would be brought to a speedy and favor-
=able issue, that he tendered the office of governor of the territory of Texas to the
late governor H G Burton of North Carolina, to be entered upon, so soon
as the treaty of cession should be completed. See a publication on the
subject of Governor Burton's appointment. The same principles, it app-
=pears to the Undersigned, were involved in the negociation for the acqui-
=sition of Texas from Mexico, previously to the recognition of the indepen-
=dence of the latter by Spain, which are now presented by the question of the
annexation of Texas to the United States, previously to the recognition
of her independence by Mexico; and had his Excellency, the President
of the United States, entertained any inclination to negotiate a treaty
for the annexation of Texas, a hope, which had been fondly cherished, as
he had expressed a determination to carry out the measures and con-
form to the general policy of his venerated predecessor, it does appear
to the Undersigned, but with distinguished deference to the Honor-
able Mr Forsyth's opinions to the contrary, that neither a sense of
duty, nor the settled policy of this government during the administra-
tion of the venerable Ex-President would have prevented.

An examination into the accuracy of the historical facts accom-
=panying the proposition, that brief compendium, which is believed to
be correct, will show that there was as little prospect of the recovery of Texas by
Mexico at this time, as there was of the reconquest of Mexico by Spain
at the time that General Jackson believed that the Charge d'Affaires
(Mr Butler) of this government had succeeded in negociating the ac-
=quisition of Texas. If the act of the annexation of Texas would involve the
United States in a war with Mexico at this time, the Undersigned
is at a loss to perceive, why a similar result was not anticipated with
Spain in event of a cession of Texas by Mexico. Texas asked nothing
more of the United States, in proposing to negociate for her annex-
=ation, than the United States had previously desired of Mexico. When
General Jackson was at the head of this government, for Mexico was
then as much at war with Spain as Texas now is with Mexico;
and it is believed that as friendly, treaty and commercial relations existed between
Spain and the United States at that time, as are now maintained be-
=tween the United States and Mexico. In addition to the fact that this
government, when administered by the sage of the Hermitage, proposed
the acquisiton of Texas by purchase from Mexico, many years before
the recognition of her independence by Spain, the Undersigned most
respectfully invites the attention of the Honorable the Secretary of State
to the report of the House of Representatives of the State of Mississippi,
contained in a newspaper, which he herewith presents. That report,
which is said to have been adopted unanimously, alludes in strong terms
to the subject of the right of this government to admit Texas into its confed-
=eracy, and the Undersigned refers to it thus particularly, that he may
be sustained by high authority, when he assures the Secretary of State
of the United States, that in submitting the proposition of annexa-

ation, it was far from his intention to ask the government of the United States to accede to a measure which Mr. Forsyth was instructed to say, was believed to involve unjust principles. The Undersigned assures the Secretary of State of the United States, that he could not knowingly consent to be the medium of presenting any proposition, asking of the United States a disregard of just principles

The Honorable Mr. Forsyth will pardon the Undersigned for expressing the opinion, which appears to him undeniable, that a Sovereign power has as perfect a right to dispose of the whole of itself and a second power to acquire it, as it has to dispose of only a part of itself and a second power to acquire that part only, and that the acquisition of the whole territory of a sovereign power could no more be objected to on the ground of constitutional right than the acquisition of a part of that territory only. The material difference alluded to by Mr. Forsyth, between the annexation of independent Texas by her own voluntary act, and the acquisition of the colonial provinces of Louisiana and Florida by the act of their respective governments, is acknowledged; but the difference is conceived to be altogether in favour of the former for the reason that the annexation of Texas would be an act of free will and choice of the government and people, who own and actually occupy the very territory proposed to be transferred, while the latter would seem to have been the result of an arbitrary right on the part of the metropolitan governments, to dispose of the territorial possessions ceded by them, without regard to the wishes of the inhabitants residing thereon.

After the assurance of the Honorable Mr. Forsyth, that a sense of duty, and a reverence for consistency left this government no alternative in leading the way in recognising the independence of Texas, the Undersigned confesses some surprise at the intimation of Mr. Forsyth, that the circumstance of her having been first recognised by the United States, should in any manner influence the foreign intercourse of Texas. However much the government of Texas may be disposed to encourage the most friendly relations with the government of the United States, the Undersigned assures the Honorable the Secretary of State, that the government of Texas does not consider, that any particular foreign policy was implied or made binding upon her by the circumstance of her independence having been first recognised by the government of the United States. The representatives of Texas in their interchanges with foreign powers, will not accept the recognition of her independence unless it is unconditional in this respect. In all their negotiations and treaties with foreign powers, the best interests of their own government and people will doubtless be consulted and must indicate the policy which they will be directed to adopt. With even the same permanent policy in its commercial interchanges with the United States, which may exist with the most favored nation, the Undersigned cannot guarantee for his government that any advantages will accrue therefrom to the manufacturing interest of the United States; for it is understood that that great interest is mainly sustained in the United States by the protection afforded by high duties against the competition of similar interests in foreign nations, where labour and the facilities for manufacturing are more available and at cheaper rates. Such being the case, it is apparent that even should no detriment accrue to the manufacturing interest of the United States from the vicinity of Texas, as an independent nation, certainly no advantages affecting

that interest can be anticipated.

The apprehensions of the Honorable Mr Forsyth that the refusal of this government to negotiate for a treaty of annexation, thereby declining all the commercial and other advantages which would be secured by that measure, may induce an attempt on the part of the government of Texas to extend its commercial relations elsewhere on terms most favorable to its own welfare and prosperity is perfectly natural; but the Undersigned assures Mr Forsyth that such endeavours will not proceed from any unkind feelings to the government and people of the United States, and he would take this occasion to reiterate the friendly dispositions of the government and people of Texas for the government and people of the United States, which he had the honor to communicate in his note of the 4th of August, should, however the foreign commercial and other relations of the Republic of Texas necessarily become such as seriously to affect the interests of the United States or any part thereof, the Undersigned conceives that it would be unreasonable for the government and people, who had been freely proffered all she could bestow and yet declined the offer, to complain of her on the ground of looking to her own interest primarily. Texas has generously offered to merge her national sovereignty in a domestic one and to become a constituent part of this great Confederacy. The refusal of this Government to accept the overture must forever screen her from the imputation of wilfully injuring the great interests of the United States, should such a result accrue from any commercial or other relations which she may find it necessary or expedient to enter into with foreign nations.

Should it be found necessary or expedient hereafter for the proper promotion of the interests of her own citizens, to lay high duties upon the cotton bagging, so extensively manufactured in the Western States and upon the pork and bread and bread stuffs so abundantly produced in that region, such as would amount to an almost total prohibition of the introduction of those articles into the country, much as her government and people would regret the necessity of the adoption of such a policy, she would be exculpated from the slightest imputation of blame for taking care of her own welfare and prosperity after having been refused admission into this Union.

The efforts which the government of the Undersigned is making to open a commercial intercourse with Great Britain and France, it is believed will succeed. Apart from the disposition of those two powers to avail themselves of the great advantages which must results to every nation with which Texas may form intimate commercial relations, it is believed that they as well as the United States cherish a liberal sympathy for a people who have encountered the most cruel treatment at the hands of Mexico; a nation which has so little regarded the laws of civilized countries in prosecuting a savage war of extermination against the citizens of the Government of the Undersigned, and that too against a people who proudly claim the realms of Britain and France as the homes of their ancestry. And the Undersigned expresses a belief that the crowned heads of England and France and their Majesties' ministers will not be without some feeling of gratification when they become apprised of the successful civil and Military Career, although on a limited scale, it is true, of the descendants of British and French progenitors, in Texas. General Houston, the President of the Republic is a native of the United States, but descended from English and Irish parentage. He commanded

ab San Jacinto, in one of the best battles, it is supposed which have been fought since the introduction of fire arms. The valiant General Mirabeau Lamar, Vice President of Texas who commanded the Cavalry in the same fight is likewise a native of the United States, but claims his decent, with pride, from the French. And the Undersigned again avows his persuasion, that the chowco heads of England and France and their Majesty's Ministers will not be altogether insensible to feelings of sympathy and regard for a people, whose government is headed by individuals boasting their decent from the distinguished races over which their Majesties preside.

Reason would seem to indicate that the foreign policy of Texas will be dissimilar to that of the United States. Texas is now and it is believed will continue to be an almost purely agricultural country. The agricultural interest will claim the almost exclusive attention of her government. Possibly from the circumstance of her climate and soil being so well adapted to the growth of hemp and the great demand for rope and bagging in a cotton growing Country, the manufactures of those soldiery articles may be encouraged at an early period, but with these single exceptions it is not apprehended that the capital and labor of the country can be so profitably employed in any other species of industry as in the planting interest. On the other hand, the interests of the United States are numerous and greatly diversified, and it presumed that it was found necessary to establish such a foreign policy as would best reconcile them and redound to the advantage of each.

With the most rigid adherence to whatever is just and right, the government of Texas will naturally pursue such a Course of policy foreign and domestic, as will best conduce to the increase of her population and wealth and thereby to her national power and consideration. In its intercourse abroad it will endeavour to find those markets where her agricultural products, cottons, sugars rice, tobacco &c will obtain the highest prices and where such articles as may be needed for her home consumption, may be procured at the lowest rates. If these advantages are presented in a commercial intercourse with the United States, the Undersigned need not say that the warm predilection of the government and people of Texas for the government and people of the United States would render such an intercourse as agreeable to the former as it would doubtless be advantageous to both.

The Undersigned most respectfully assures the Honorable Mr. Forsyth and through him His Excellency the President of the United States, that the prompt and decisive rejection of the proposition for the annexation of Texas to the United States will not be imputed to an unfriendly spirit towards the government and people of Texas.

The Undersigned, Envoy Extraordinary and Minister plenipotentiary of the Republic of Texas with the highest satisfaction, renews to the Honorable Mr. Forsyth, Secretary of State of the United States, the assurances of his most distinguished consideration and regard.

Memucan Hunt

For Despatch D5 which was here omitted see page 96

Washington City
September 6th 1837

Dear Sir,

By your last communication to General Hunt dated the 14th of July, you mentioned that our dispatch No 18 had not been received. That dispatch contained a report of the manner in which the affairs of this Legation had been conducted during the absence of General Hunt and of the contingent relating to his expenses incurred since the first establishment at this Court — It contained also a claim for services list of the sums, annually allowed the Legations of the United States at Foreign as Chargés affaires Courts, which I deemed it proper to transmit to you in order that you might have a Sets of Legation some fixed precedents & data to refer to in determining what would be a proper allowance for the contingencies of our own Legations — It likewise embraced a suggestion, which I beg leave to repeat, as it has met with the entire approbation of General Hunt and may not be regarded by you in the light of an unreasonable demand.

By the usage of the Government of the United States, whenever the Minister is absent from his station for any length of time, to allow the Secretary of Legation upon whom the business and expenses of the Legation regularly devolve, an additional compensation corresponding with the salary of the Minister and the duration of his absence — Still the allowance of such additional compensation is left discretionary with the President of the United States.

Such being the established usage of the United States, it has appeared to General Hunt and myself that I am entitled to the compensation of a Chargé during his absence — Still I would beg leave to present my claim rather in the form of a suggestion than a demand, and request that you will communicate it to His Excellency the President in order that he may express such directions in relation thereto as may correspond with his own impartial sense of justice and right. I will not conceal from you, that the compensation referred to is greatly needed and desired by me, and principally that I may not only be enabled to sustain myself and "live in a becoming manner" without running into debt, and thus indulge the dearest wish of my heart in prospect, respecting the respectability of my Government here, but that my mind may be divested of all solicitude respecting pecuniary embarrassments and be in a better condition to attend with alacrity to the duties of the Office which I have the honor to hold.

General MacIntosh, the Secretary of Legation to Great Britain has obtained his full salary in advance and that too I have since learned by $2.000 by which I have obtained only $200. — Why should there be a distinction between us? It is not just. I complain not, because I have the fullest confidence that his Excellency will neither permit invidious distinctions where they can be avoided, nor withhold from me any claim which a strict and impartial sense of right and justice would award me — More I would not desire — I shall therefore most chearfully submit to his decision upon the following account.

For services as Chargé from the 13th of March to the 26th of June 1837 3 Months and a Half at $5.000 per annum.	$1.458.33⅓
For services as Secretary of Legation 8 Months and a Half up to 14th Dec 1837 at $2.000 per annum	$1.416.66⅔
Total	$2.875.00
Reduct amount received	200.
Due	$1.975.00

The amount therefore which I consider to be due me and for which I request an order upon one of the agents of Texas in the United States is $1.975.00, & should His Excellency deem it more advisable to direct A. Allen Esqr or some other authorized agent to transfer to me the requisite amount of Texian

will be equally satisfactory, as I should be able to dispose of it among my friends and acquaintenance— Please oblige me with as early an answer as practicable and send it by the express Mail.

With great respect I have the honor to be
Your obedient Servant
Francis Cutbill

Honorable M. A. Crow
Secretary of State,

Dispatch No 261

British Legation
Washington City
September 18th 1837

Sir

I have the honor herewith to present to you Mr Forsyths reply to the Proposition I made on the 11th of August to annex Texas to the United States and my Note in reply to that reply. I hope that the friendly grounds, on which the dignified and to R. Nation honor of my country and self demanded that I should oppose in the reply to Mr Forsyths refusal to entertain the Proposition for annexation will be entirely satisfactory on subject of Annexation to his Excellency the President.

Mr Adams of Massachusetts offered a Resolution in the House of Representatives on the 13th Instant calling for any correspondence which may have occurred between Texas and the United States upon the subject of the late Insurrection in the Province of Texas which was adopted, and I learn that the Secretary will comply with the wish of the House as expressed in that resolution.

I will at this time forbear to say one thing more than that I hope and believe that the correspondence will be published and circulated extensively and that its effect will be so great as to ensure a successful termination of the question at the main session of Congress. The mere introduction of the subject by a call for the correspondence produced great excitement.

My present hope is that one of the branches of Congress at the main session will pass a resolution requesting the President of the United States to instruct the Secretary of State to ask of the Minister of Texas the terms upon which his Government asks admission into this Union, and when such terms are known there will be a move for their acceptance, which, if adopted by both branches of Congress, will be signed doubtless by the President.

I have as yet, received no reply from Mr Forsyth upon the subject of the appointment of a commissioner to run the boundary line.

The President informed me sometime since that Mr De La Barmche would proceed to Texas as Chargé d' Affaires from this Government without further delay— Your dispatch of the 4th July has been received. I will write to you again soon in detail.

I have the honor to be
Your obedient servant
Alemeane Hunt

To the Honorable
W. A. Crow
Secretary of State,

Legation of Texas
Dispatch No 1.

London England
Oct. 14th 1837.

To the Honorable the Secretary of State for the Republic of Texas—

Sir,

I have the honor to inform you that I arrived in this city on the 9th

instant having been unavoidably detained on my journey hither by unavoidable occurrences and
J.H. Henderson to R.A. Dixon. understanding that Lord Palmerston who had been for some time absent from the city, had returned
informing of his arrival in England and presenting his Credentials to Lord Palmerston &c &c. I addressed him the following note.

"General E. Pinckney Henderson has the honor to inform the Right Honorable Lord Viscount Palmerston that he has arrived in Town with credentials as agent of the Republic of Texas, and desires to be informed at what hour he may have the honor of paying his respects to His Lordship and delivering the same. He has the honor also to transmit to His Lordship a copy of the Declaration of the Independence, and the Constitution of Texas, together with the several acts of Congress organizing the Executive of the Republic."

Conge Hotel New Island Court Oct 11th 1837.

To this note on the succeeding day I received the following reply.

Lord Palmerston to Henderson and Dixon. Reply.

"Lord Palmerston presents his compliments to General E. Pinckney Henderson and has the honor to acknowledge the receipt of his note of Yesterday date—Lord Palmerston will be happy to receive General Henderson at this Office tomorrow (the 13th instant) at 5 Oclock."

Foreign Office 12th Oct 1837.

To which I immediately replied as follows— "Gen. E. Pinckney Henderson has the honor to acknowledge the the receipt of Lord Palmerstons note of to-day date and will do himself the honor to wait on His Lordship at the time and place mentioned."

Conge Hotel Oct 13th 1837.

At the time appointed by His Lordship I repaired to his office and found him ready to receive me, whose approach and Purport of the Conversation with Lord Palmerston. Agent of that Republic to Her Majesty's Government— We took the letter and on the first instant it carefully, and then asked me some questions concerning the route which I had travelled from Texas, which I understood to be designed to draw from me how the fact, whether or not I had visited Washington City— Duplicates to the answer subject of which was ultimately that I had only passed by New Orleans, Charleston & Philadelphia generally &c to New York in order to avail in one of the New York and Liverpool packets, as the most expeditious route from New Orleans to this place, with which he was evidently satisfied & then observed to His Lordship that the immediate object of my visit was to procure the recognition of the Independence of Texas by Her Majesty's Government, and that I hoped to be able to satisfy Her Majesty and Her Cabinet, that the Government of Texas was capable of maintaining its declaration of Independence, and of performing all of the duties of an Independent Power, and to remove any other objections which might exist. He observed that it was an important matter and one that would require consideration and the action of the whole Cabinet, He then alluded to the treaties which now exist between England and Mexico— To which I replied that I was aware of the existence of friendly commercial treaties between the two countries, but that I was not aware that those treaties contained any clause which would forbid England from pursuing the same course towards Texas which the Law and practice of Nations dictated to all similar cases, and which she had acted upon in many instances, as in the case of Mexico herself and that I did not consider that England was in any manner bound either by the Laws of Nations or by treaties with Mexico to withhold her recognition of the Independence of Texas after she was satisfied that the power of Mexico no longer existed in Texas— That there was no rule of National Law, which could compel England or any other Government to deny to itself the opportunity of extending its commerce with Texas or reaping any other advantage which would arise from establishing friendly relations with Her as an independent power, merely because a friendly treaty of Peace was in existence between Her and Mexico from which duties Canada &c &c of which His Lordship agreed the

always acted upon these principles & that Mexico herself had claimed & received the benefit of this Law— that England was governed very much by the same rules in such cases as the United States had adopted"— To which I replied that I was aware of that fact and that the united States Government had, after viewing the contest closely and critically in Texas, and sending a secret agent to enquire into our situation &c formally acknowledged the Independence of Texas; Here His Lordship evidently discovered that he had committed himself, & His Government, and either feigned or was really ignorant that the United States had formally acknowledged the Independence of Texas, but I assured Him that such was the facts, and that our Minister had been finally received at Washington. His Lordship then stated some nearly similar reasons to those I myself urged as above stated, showing How England and other powers might regard the claims of Texas to recognition, and why they might be induced to recognize her immediately, but at the same time observed that these were hasty suggestions of his mind, and should not be regarded as the convictions of Her Majesty's Government— His Lordship then asked me what was the extent of the territory of Texas— the size of her rivers— the description of her Harbours— Extent of Sea coast &c &c all of which I replied in the most particular manner & referred to the Map of Texas which lay on his table. He then asked me what was the number of Inhabitants in Texas and their description— to which I replied that I would estimate the number at one Hundred & twenty or twenty five thousand, and that the rapidity with which it was now increasing had scarcely a parallel in the settlement of any country, and that they were generally young and enterprising men, mostly able to bear arms, that in my estimate I did not include the families of our citizens who had not yet removed to the country— He then observed that he believed Texas had made application to be admitted into the Union of the North American States— To this I replied that it was true that the people of Texas shortly after the Invasion by General Santa Anna and before they had time to view their true situation calmly— when they were much weaker in numbers than they are at present & still apprehended danger from another invasion by Mexico, and before the present constitutional Government was organized & put in successful operation, had by a large majority expressed their opinion in favour of annexation, but that the President of the United States had refused to entertain the proposition, which the Minister of Texas at that time had made founded on the expression of public sentiment in Texas as above stated— He then observed that he supposed that the disposition of the People of Texas to be annexed to the United States decreased in proportion to their increased confidence in their own strength & their ability to maintain their own Independence— to which I readily assented & at the same time observed that the people of Texas were aware that they would forego many advantages as an independent Nation, which they could not enjoy as an integral part of the United States— that as an independent Nation, they would not be subject to be agitated by the local jealousies & struggle for political ascendency between the North and the South, which had so long disturbed the Harmony of the States— that Texas never could be a manufacturing nor a commercial people, at least so far as the carrying trade was concerned, that it would be greatly to her interest to be able to open her ports to every Nation, and invite the Manufactures of every country to equal competition in our Markets, and exchange with us the manufactured articles for the raw material, some of which we could supply in the greatest abundance; that as an Independent power, we would be free from the operation of the protective Tariffs which had so long oppressed the Southern planting States of the Union— that England then could come into our Markets on a perfect equality with the Northern States, and that considering the low prices of labour in this country, they could drive from our Markets the Manufactured Articles of all other Countries & also engross the carrying Trade of Texas,— that the great abundance of the best live oak in the World, which was to be found near the sea coast on all of our Rivers, would furnish increased facilities to any country which traded with us for Ship building.— To all of which his Lordship gave his most profound attention; He then enquired of me concerning the amount

of cotton lands in Texas, To which I answered that we had more good cotton lands, than was to be found in the whole United States and that at twenty years we could produce more cotton & of a finer staple than was now raised in the United States. — He then observed rather crossly that he believed we had abolished slavery in Texas — To which I replied that such was not the case, and that notwithstanding Mexico had long since abolished slavery throughout her whole dominions in <u>theory</u> that it was nevertheless true, that that Government permitted it still to exist in Texas, and at least indirectly sanctioned the introduction of slaves into Texas from africa through the Spanish West Indies, and that when Texas was compelled to separate from Mexico & assume the reins of Government she found herself in her present peculiar situation so far as slavery in that country was concerned — That inasmuch as a portion of her citizens were found with slaves in their possession, some residing in the heart of the Republic, others near the borders of the United States, on what was considered to be disputed territory and ready either to profess allegiance to Texas and assist in putting down the insurrections of Mexico, or to claim protection from the United States, it was deemed best to allow things to remain as they found them & not do any act which would weaken the strength of the Revolutionary party — that the Government of Texas had remedied the evil as far as it safely could under the circumstances in which it found itself placed at the commencement of the Revolution that it had done away with the <u>greatest</u> evil which existed, whilst we were under the Government of Mexico in regard to slavery in Texas, which was the introduction of <u>African</u> Slaves, an evil which Mexico permitted, if she did not also encourage — that our constitution forbid the introduction of slaves from any other part of the World except from the United States of North America & that by a law of Congress passed at the first session of the first congress of Texas, the penalty of death was inflicted upon any person who should introduce a slave from any other country than the United States, and all that in all cases when slaves were brought even from the United States to Texas, they must have been slaves according to the laws of the state from which they were brought, that notwithstanding a few slaves had been taken into Texas from africa, through error whilst we were under the Mexican Government, yet more have been taken in since the people of Texas had taken the Government into their own hands, that Mexico never had the ability or the disposition to put a stop to the african Slave trade in Texas — That even regarding the situation of Texas alone on this subject the philanthropic mind would find more abundant reasons to favour the continuance of the present authority, than encourage the re-establishment of the dominion of Mexico over us — That we had requested the Government of the United States to guard the coast of the Gulf of Mexico, whilst our Navy was otherwise engaged so as to prevent the possibility of the introduction of African Slaves into Texas.

His Lordship then observed that this would be a serious question to be considered in Her Majesty's Cabinet in passing upon the application which I was making to be recognized & that he supposed that I was aware that this question had already been agitated in Parliament — To this I answered that I was informed of that fact & that I hoped that if the question was again brought up in either House his Lordship would cause to be laid before the House the above statement of facts, To which he replied, "that it would be considered of." He then stated that Mexico had emancipated all slaves in Texas by a late decree — I replied that I was not aware of that, at least if I had been informed of it, it had escaped my memory, and further observed that the Government of Mexico would be doing more for its National character if it would release, or attempt to release their citizens who were now in captivity as prisoners war in Texas — He smilingly rejoined that I appeared to have a great antipathy to the Mexicans — I answered that I thought their character warranted it — He then enquired closely of their [illegible] ability &c. &c. He then remarked that Texas [illegible]

some citizens of London complaining that a vessell belonging to some English citizens, had recently been captured on the coast of Mexico by some Texian Corsairs & asked me if I knew any thing of the fact— I replied that I had seen in my departure from New York such a statement in a Newspaper of the United States opposed to the cause of Texas, but that I had received no intelligence which I could rely on concerning the same, that I doubted the truth of the publication & that if a vessel claimed by English Citizens had been captured, I could only say, that I supposed it had on board contraband goods; but if upon investigation it appeared, that any injustice had been done to the rights of British subjects, I could assure his Lordship from my knowledge of the disposition of the people and Government of Texas to cultivate and secure friendly relations with England that the most complete & speedy reparation would be made either to the individuals interested, or to the Government if it should involve a point of National Honor.— His Lordship again observed that the application which I had made, was one of importance & one which he could not take upon himself to answer, but that he would as speedily as possible lay it before the Cabinet; that such Matters required consideration & he must ask me to have patience with him —

I then asked his Lordship to say what was the earliest period at which I might expect an answer to my application — He answered that inasmuch as most of the Ministers of State were still absent in different parts of the Kingdom, it would be delayed until the 1st of November, but that he would in the mean time acquaint them of my arrival & the nature of my business. — I then observed that perhaps it was proper at that time to inform his Lordship that I was also the bearer of Credentials from His Excellency the President of Texas, constituting me Minister Plenipotentiary from that Republic to the Court of St James, which I would at the proper time ask leave to deliver. — After some conversation upon the general subjects touching Texas, his Lordship asked me what could be said in favour of the ability of Texas to maintain her declaration of Independence when he laid her claims before the Cabinet — that it might be urged against her that notwithstanding she now had the possession of the Government, "de facto", yet inasmuch as Mexico was so much the most powerfull Nation, She might reconquer Texas. To which I replied, that in addition to the reasons which I had already given, I would mention, that the people of Texas under their present organization had defeated the whole Mexican Army which had been Marched into their Country, consisting of between Eight and Nine thousands men — their choicest troops, by capturing their President & Commander in-chief together with the whole of that division which he commanded in person at the battle of San Jacinto, and driving the balance of their force before them entirely without the limits of Texas — that the whole army of Texas at that time, under the Command of General Houston the Commander in chief did not exceed Eight Hundred men — that in the battle of San Jacinto the Mexican Gen'l force out numbered the force under Gen'l Houston more than two to one — that there the loss of the former was exceeding Seven Hundred Killed & the balance taken prisoners — that the loss of the latter was seven killed and fourteen wounded — that it was true as stated by his Lordship, that Mexico far exceeded Texas in Numerical Strength, but that every conflict between the two parties proved the entire superiority of the Texians in arms, — that we had fought them in the open field, in the woods, and in their strongest fortifications — that on every occasion they had out numbered us from two to ten to one — that in every engagement we had been successful either in repelling or capturing the enemy except in the single case of the fall of the Alamo & that on this occasion the Texian force was 186 men, who were attacked by between four and six thousand Mexicans & held out against them for a period two weeks — that the loss of the Mexicans in that Seige was about 1300 men — that since the capture of Gen'l Santa Anna on the 21st March 1836. and the retreat of the balance of the Mexican Army under General Filisola, there had not been a hostile Mexican within the limits of Texas — that the Constitutional Government of Texas was & had been in successful operation for twelve Months, with every department perfectly organized — that if Texas was able to defeat the whole army of Mexico, consisting of 8000 of her choice troops,

Captive and Held as a prisoner of war Her President and Commander in Chief for more than 6 Months, and that too in the neighborhood of his own dominions, where it might be said that nothing more than an imaginary line separated the two republics, and with a force of only 800. Men, I presumed no one would doubt Her ability to defend herself now, when she could call into the field at any moment ten thousand soldiers — that the reason why Texas had not again been invaded by Mexico, was not because no efforts had since been Made by the authorities of that Country to effect that object, but because they could neither command the men nor Money — that for more than 12 Months, they had been exerting their utmost efforts to concentrate a force at Matamoras sufficient for that purpose, but that they never had been able to collect and keep together More than 3000 Men at any one time & that the fear with which they had been stricken by the Texians during the last invasion was spread throughout all Mexico, and operated upon Officers as well as Men, that they are aware of our increased and increasing strength — that they were a weak, ignorant, and degraded race, and heretofore had no proper conception of their own weakness, because notwithstanding they had been involved in wars for many years, yet their contests were confined to battling with each other — that the History of that Country ever since its separation from Spain, proved that it was doomed to perpetual revolutions & that at this Moment the contest between the two individuals Santa Anna & Bustamente would involve the country in a revolution for years to come & which would in itself be a sufficient obstacle to prevent another invasion of Texas by that power — that these were some of the many reasons, which might be urged in favor of the application which I had the Honor of Making, and which I Hoped His Lordship would do the Government which I represented the justice of laying before that of Her Majesty on the occasion above alluded to, and inform me at the earliest possible period of the result of the Conference, to which he politely consented.

The right Honorable Secretary dismissed me with a conference of two hours — The above statement contains all the conversation of Importance that passed between us, and I have been thus particular in relating it to your Honor, as well to enable you to draw your own conclusions, with regard to the prospects of my success here, as to place it in the power of His Excellency the President to judge of the Manner in which I discharged the duties of my station, that He may instruct me in whatever He would have me say in addition.

During the interview Much other conversation passed between His Lordship and Myself in relation to Texas, which I thought clearly evinced the interest which had been excited in His mind by an investigation of Her situation. —

Since the meeting of His Lordship and Myself, I have concluded to address a letter to Him setting forth all the arguments I can bring forward, in favor of the application which I have made and request Him to lay it before the Cabinet on the occasion of their Meeting, and will in due time dispatch to your Honor a copy of the same. —

Having been informed previous to my departure from N. York that by a decree of the Mexican Government of April last, she had proposed to settle the claims of the British stockholders of the various loans obtained in England by pledging a part of the same in land to be located in Texas & having seen in the News papers in this city, that these terms had been partly accepted, by the persons interested in England, and that the 16th Instant was the day fixed upon for all such as were willing to accept these terms to come forward and make the same known. I asked Lord Palmerston if the Government of England had any direct interest in these claims, or had given Her sanction to these proceedings — To which He replied that she had not. —

I will this day address a letter to F. De Lizardi &c. who are the agents appointed here on behalf of the Mexican Government informing them of the determination of the Sovereignty of Mexico over Texas & protest on the part of Texas against the proceedings so far as she is concerned & request them to lay it before the Stockholders; This will I hope at least embarass the Negotiations of Mexico here for new loans, which I am informed will be attempted shortly upon the satisfactory settlements of their former loans. — In this connexion

as mild and

concerned, in order to prevent any excitement being raised against Texas at this critical time, and I presume my communication will not be published Except-of the circle of those concerned.—

His Lordship not having mentioned any thing of Mr Crawford or his Mission to Texas, I deemed it best not to allude to it during the interview; having thought he might regard it as betraying too much intimacy with a Matter that was supposed to be a secret.

I have the honor to subscribe myself
with sentiments of the highest
consideration
Your &c. &c.
A Pinckney Henderson

Despatch No 27

Texian Legation
Washington City
Oct 21st 1837

Sir,

I have the honor to acknowledge the receipt of your despatch by Col. Mr Hunt Grayson of the 13th of August. I am very much gratified to know that my official to R.A. Irion, duties have been conducted in a manner so satisfactory to the President and Con-relating to self.

Annexation &c. The present attitude of the question of annexing Texas to the United States is delicate and precarious— Should the United States declare war against Mexico at the next Congress, there is little doubt of the success of my mission— if otherwise, I doubt whether I can make any just calculations of success. I am satisfied that the Executive here would be pleased at its accomplishment, but he will act with great caution in advancing its consumation— The friends of the measure, who are in the confidence of the President and Cabinet, insist on time to enable them to carry the measure. They say it is impossible to jeapardize the strength of the party in the North by precipitate action on the subject, and doubt whether they can carry the question even by the 4th March 1839— I invariably reply that I fear their tardiness will leave the acquisition of Texas, and should it be lost Mr Van Buren will lose his election, as the south will oppose, with unprecedented unanimity, the elevation of any man who opposes the question, or fails to lend his aid in its accomplishment— there will be a powerful effort made by the friends of annexation for its accomplishment, when Congress meet, and Mr Van Buren will be forced into a position, I think, under that position will be favorable, unless I am greatly mistaken— I expressed to an influ-ential friends of the Executive, a short time since, my determination to apply for a recall, if there were no evidences given to me of a positive disposition on the part of this Government to acquire Texas, and authorize him to confer with the President and Secretary of State upon the subject confidentially. I am not at liberty to communicate even to you the results of this private interchange, and am so bound up in secrecy, that I can only say I soon made satisfied to continue my residence here longer. Mr Clay offered a Resolution on the eve of the adjournment of Congress, calling on the President for the Correspondence with Mexico, relative to the claims of this Government. The result of this call may produce consequences more propitious to the accomplishment of my mission than all other combined circumstances, now Expected for.

I forward you the correspondence between this Government & Mexico upon the subject of the cession of Texas by Mexico— You will discover that Mr Adams, Mr Clay, Gen Jackson, Mr Van Buren, Mr McLane and Mr Forsyth are all committed upon the subject of its acquisition. I have had several thousand copies of my correspondence with this Government printed and [illegible] the liberty of forwarding them to you and of asking that they may be

distributed as generaly among the people as posible.

The senate have not yet confirmed the nomination of the commissioners to run the boundary line. Gov. Reynolds of Mississippi is the nominee and his name has been in the hands of the Senate since last winter.

I send you regularly the Newspapers of this city, which will afford you all the information in relation to the action of Congress upon the subject of Texas. Twenty thousand copies of My correspondence with Mr Forsyth on this subject of the annexation have been printed by order of the House of Representatives.

I am delighted to have Col Grayson with me in the capacity he occupies, and should be much more gratified, if his relation were that of Colleague.

I have the honor to be
Your Obedient Servant
Memucan Hunt

To.
The Honorable
R A Irion
Secretary of State.

City of Houston 24th Oct 1837.

Hon R Irion Secretary of State, of the
Republic of Texas,

Sir,

A. Labranche
announcing
his arrival as the Republic of Texas, I have the honor to apprize you of my arrival in the city of Houston. Will please inform me when and where it will be convenient for you to meet me.

Being appointed Chargé de affaires near the United States

With great consideration I am Sir
Your most humble and obt. Svt
Alcée La Branche
U. S. Chargé de Affaires

Despatch No 2

Legation of Texas
London England
November 5th 1837

J P Henderson
M R A Irion
relative to a
Correspondence
with Palmerston
by England &c

To The Honorable R A Irion
Secretary of State

Sir,

In despatch No 1. I mentioned to your Honor that I would in a few days from that time address a communication to Lord Palmerston setting forth the reasons upon which Texas founds her claims to be recognized as an Independent Nation, I have now the Honor to forward you a copy of the same together with his Lordships note acknowledging the receipt of My letter.

To the Right Honorable Lord Viscount Palmerston.

My Lord,

Since the interview with which your Lordship honored me on the 13th inst I have concluded to address this communication to your Lordship, setting forth the reasons upon which the Republic of Texas, which I have the honor to represent, founds her claim to be recognized as an Independent Nation, and request your Lordship to do my Government the favour of laying the same, before Her Majesty's Cabinet at the earliest period at which it may be convenient.

The Government of Texas base her claims to recognition as an Independent Nation upon the fact that she is so, de jure and de facto. That Texas right as an Independent Nation will clearly appear by an examination of the history of that country, the principles of her

Henderson to Palmerston. Claim of Texas to Recognition by England &c.

a separation from the Mexican Republic.— Just a few years since, Texas was a wilderness, inhabited only by wandering tribes of Savage Indians, who being expatiated by the injustice done them, waged a constant & destructive warfare, against the Spanish Settlements bordering on the then Province of Texas.— In order to put an end to the depredations of these Indians, which had so much retarded the prosperity of the Spanish Colonies in that region, the Government of Mexico opened this province for settlement & invited foreign enterprize to the Country; the inducements held out were such as to induced many american Citizens & others Foreigners immediately to accept the offer.— The first colony which was settled in Texas was by Col Stephen F Austin under a grant from the crown of Spain to his Father Moses Austin Esq previous to the separation of Mexico from that Government. The first settlement under this Grant was A.D. 1821; this settlement was not effected without much risk and difficulty; but the Indians inhabitants were gradually appreased by the just and kind treatment which they met with at the hands of the Texians.

At the time when the other provinces of Mexico declared their Independence of the crown of Spain, Texas joined with them, and when the Federal Constitution was adopted A.D. 1824, the other provinces each retained to themselves a State Government & Constitution, after giving up such powers as were necessary to the Federal Government.— In the Congress or convention which formed the Federal Constitution, Texas by her representatives retained all of her powers which were incident to the different provinces or distinct sovereignties, which composed that body; but not possessing at that time, sufficient population, to warrant her in establishing a separate State Government, she by her own consent, was provisionally, annexed to the adjoining province of Coahuila, and the two formed the State of Coahuila & Texas "until Texas possesses the necessary element to form a separate state of herself." Such are the words of the constitutional or organic act passed by that Congress or convention of Mexico on the 7th May 1824.— According to the acts of this convention, Texas by the consent of the other States of Mexico retained to herself a specific political existence, with well defined rights of self government, as a state of the Mexican confederacy, whenever she possessed the necessary elements. To this agreement or contract the Government, or other provinces of Mexico form one party, and Texas the other, which contract neither could rightfully destroy, without the consent of the other.— How far this contract has been faithfully observed by each party, I will now proceed to shew.— With but a few short intervals, the people of Texas & the other friends of Order throughout Mexico, have been compelled ever since the separation of that country from Spain, to keep up a perpetual war against the several ambitious Military Chieftains, who have each in their turns attempted to overthrow the constitution and establish in its stead a Military despotism.— Iturbide by corruption & violence established an imperial Government, without the consent of the people, who deposed & banished him & adopted the Federal Republican System: General Iturbide returned to the country & was put to death, and Victoria was elected President, who served only four years, during all of which time the country was distracted with conspiracies and civil wars.— Genl Pedraza was next chosen President— He was dispossessed of his office by violence & Guerero appointed to fill his place.— Guerero was scarcely seated in office, before Genl Bustamente made war against the Government, deposed Guerero, put him to death— assumed the reins of Government & destroyed the constitution.— In the Year 1832 Genl Santa Anna then the leader of the Constitutional party, deposed the Usurpations of Bustamente, succeeded in putting him down, banished him from the Country & was himself elected President by the friends of the Constitution of 1824. All of these Revolutions took place in the short space of Nine Years and in every instance the Citizens of Texas adhered to the Constitutional party.—

In the Year 1833, the people of Texas who had assisted in putting down Bustamente— restoring the Constitution of 1824 & placing Genl Santa Anna at the head of the Government, believing him to be disposed to administer the Government according to the Constitution, assembled in Convention & finding that they possessed the necessary elements required by the constitution to entitle them to a State Constitution and Government, according to an humble [illegible] petition to the General Government [illegible]

to organize a State Government according to the terms of the Federal Compact. A Commissioner to obtain redress, was appointed to lay the same before the Mexican Government, which he did in the most respectful manner. But it seems Genl Santa Anna had already determined to destroy all of the State Governments, & he caused the petition to remain unanswered & unattended to, and for some pretended offence imprisoned the commissioner who bore the petition for fifteen months, without informing him of the nature of the charges alledged against him. These acts of injustice, together with the constant revolutionary state of Mexico since its separation from Spain, in which that people clearly evinced their entire incapability of self Government were causes sufficient to have justified the people of Texas, in dissolving all political connection with them. They still however under all these discouraging circumstances, fondly, with the hope of sustaining the constitution of 1824, and securing their rights under it; but in this they were disappointed. Genl Santa Anna, who had heretofore been the leader of the Republican party, now becomes the leader of the party he formally opposed — frustrated the Constitution, destroyed the federal system, and dissolved the Federal Compact. This he effected by a Military order issued in may 1834 by which he dissolved the Genl Congress of the Republic, which was opposed to his ambitious views, before its constitutional term had expired. — By another Military order which issued from the same source, a new, unconstitutional and revolutionary Congress was assembled on the first of January 1835 which deposed the Vice President Gomez Farias who was a Republican, without trial or impeachment and elected another — General Barragan in his place, and established a consolidated Central Government. — Against these acts the State of Texas and Coahuila, through their Legislature protested — they were also openly resisted in the states of Puebla, Oayaca, Mexico, Salaya, Zacatecas & other parts of the Republic, but they were forced to submit to the Revolutionists, who had under their command the regular Army, with all of the arms & munitions of war in the Country. — For protesting against these usurpations the Legislature of Texas and Coahuila were dissolved by an armed force, sent by the Government of Mexico for that purpose and the Governor & many of the leading Members were imprisoned by Santa Anna. — With all these acts of oppression the people of Texas bore, Remonstrating only & petitioning for relief, until the month of October of that year (1835) when Genl Cos with a Military force was sent to Texas to enforce the Revolutionary measures of Santa Anna, when they took up arms in defence of their rights & on the 7th November of that Year in a general Consultation, declared their determination to restore and re-share to the Constitution of 1824; #

But that was no longer practicable because Genl Santa Anna had destroyed the Confederacy, and established in its stead a Military despotism. They were thus compelled either to submit to his Revolutionary Measures, or separate themselves entirely from that Government. — They chose the latter — How far they were justifiable I now submit to the consideration of your Lordship & the other Members of Her Majesty's Cabinet. —

But perhaps the only question which your Lordship may think it necessary to decide, in the present case is whether or not the Government which I have the honor to represent, is the Government of Texas de facto. That such is the case, and that it is not only the Government in fact, but that it is capable of sustaining itself & discharging all the duties of an Independent Government will I think most clearly appear from an examination of her History & acts for the last two Years to which I must again beg leave to call your Lordships attention — When Genl Cos was sent into Texas by Genl Santa Anna in October 1835 with a Military force of about 1500 Men, to enforce the unconstitutional and revolutionary measures of the President of Mexico, he with — 1300 Soldiers took possession of the Alamo, a strong fortress at the Town of San Antonio de Texas, in which he was attacked by less than 300 of the Texas Militia, and after a feeble resistance he surrendered the fort & the whole force under his command, all whom were released upon parole and allowed to return to Mexico, on condition they would not return to fight against Texas in that struggle. — In the Year 1836 the President of Mexico, Genl Santa Anna, invaded Texas at the head of thousands of the best troops of Mexico, attacked the Alamo & ordered in [illegible]

and called upon the other States to assist them. And it was not until march 1835 & after the other states had been forced to submit to his usurpations for the want of arms and the energy to persevere them, after Genl Santa Anna had marched in person at the head of a numerous army into Texas, that it was declared a war of extermination, that the people of Texas declared their intention to be an integral part of the Mexican confederacy so long as that Government administered their rights according to

Texas possesses every necessary element to qualify her to perform the duties of an Independent Government. — She has adopted a constitution and form of Government, suited to her situation, every department of which has been organized & in successful operation for more than twelve Months; Congress has met twice and transacted all necessary business, and will soon meet again. — The Government of the United States after sending a Secret agent to Texas to enquire into her situation, powers &c, and after viewing the prospect of Mexico to reconquer Texas, formally recognized the Independence of Texas, on the 3rd of March last, appointed a Minister to her Government and received her Minister in due form. — In recognizing the Independence of Texas, the United States acted upon the same rule, which she has adopted in the case of Mexico herself, when that republic separated from Spain; a rule which she had learned from England herself. — The Government of the United States doubtless delayed the recognition of the Independence of Texas, beyond the time when she was convinced that Texas was Independent de facto & capable of maintaining herself, because that Government was apprehensive that the Nations of Europe might regard such an act, as evincing a partiality for Texas. But after she saw the last effort of Mexico during the last winter to invade Texas fail, she could no longer with any apparent justice, withhold her recognition.

Notwithstanding from these facts it appears, not only that the Government, which I have the honor to represent, is the Government de facto of Texas, but that it is also capable of maintaining its independence, yet it may be necessary now to anticipate & remove an objection which has been sometimes raised against her, by those who are not acquainted with her true situation and history. — The difficulty to which I allude is the question of slavery in Texas. — At the commencement of the war in that country, many of her wealthiest and most influential citizens were found possessed of slaves. At a time like that, when she was just entering into a contest, so unequal as it then appeared to be, all parties deemed it necessary, so to act, as to secure in the struggle the assistance of every citizen in the country; consequently, each citizen who was found possessed of slaves under the Mexican Government, was permitted still to hold them under the new Government. — Notwithstanding the Mexican Government had abolished Slavery upon paper, yet she permitted her citizens not only to purchase & hold slaves which had been born such, in the United States & other countries, but she permitted them to import African slaves through the Spanish West Indies. — During the time that Texas was under the Mexican Government, there were taken into that country two cargoes of African slaves consisting of about 75 each. — This the Government of Mexico was neither able nor willing to prevent. — But since the people of Texas have taken the Government into their own hands, not a single african slave has been taken into the country; the Constitution of Texas forbids it, & by a law passed at the first session of the first Congress of that country, the penalty of death is imposed upon any person who violates this clause of the constitution. — Texas has shown herself able and willing to abolish the african slave trade within her dominions — Mexico was not. Texas has abolished the most offensive feature of slavery — Mexico permitted if she did not encourage it. — According to the constitution and laws of Texas, the number of slaves in the world cannot be increased, consequently the Government of Texas is less objectionable on that ground than that of Mexico. — Texas has abridged slavery in that country, its entire abolition will be the work of time. —

I must now ask leave of your Lordship to advert with due deference to some of the many advantages which would result both to England and Texas by the establishment of a commercial treaty between them. Texas comprehends a territory of three hundred and fifty thousand square miles, with a soil and climate peculiarly adapted to the production of Cotton, Silk, Indigo, Rice and Sugar. — For these articles she must seek a market. She cannot expect to be permitted to carry them into the markets of the United States upon favorable terms, because one third of the states of that Union are engaged in cultivating these articles — To England then must Texas principally look to, for purchasers for the products of her soil, in exchange for which she will receive manufactured articles of the

Texas will confer benefits on the manufacturers of this raw material. Her markets will be open equally to the manufactures of every country — England will chiefly supply her requirements, because here the manufactured articles can be purchased cheaper than in any other country, for the materials consist of linens, of which England and the United States will, at present, divide with each other, in which trade the English manufacturer must be enabled to undersell his rivals in supplies of more rare materials, as they have hitherto been principally dependent upon the United States for — Texas could supply them, whilst (the country) she would receive and consume theirs for the same — The carrying trade of Texas must be exclusively that of other countries — this to England may prove — another advantage which would result to both in their future commercial dealings, Texas which purchased to such less comparative than she already consumed, would be derived from the very great advantage of the best line of the world articles to furnish the entire country for many years to come. The cost of these articles Texas can supply cannot be sufficient to induce on the part of England to any extended necessary consumption but beyond all doubt she could — The national law — which the citizens of United would feel a ready market for his article, which is at present only in consumption for their relation —

The citizens of Texas at a time when they were much weaker in number than they are at present, were still a virtue to the struggle for emancipation of the war with Mexico, expended as willingness to be attached to the Government of the United States.

Founded upon this expression of public sentiment, the Minister of Texas authorized the proposition to the President of Texas to annex Texas to the United States, which proposition was rejected by them.

The people of Texas being now satisfied that they have no reason to fear Mexico, would consider any advantage they would derive as an independent nation, which they would be entitled if they were annexed to the United States, and subject to their taxation, tariff and other laws of that government which operates against the southern states, was any desire of remaining a world forming commercial treaties with other countries. If may be hoped to observe that in addition to the credentials which I have had the honor of delivering to your Lordship as Agent of the Government of Texas, I have the honor to be the bearer of other credentials as minister plenipotentiary from that Republic to Her Majesty's Government which in a few days I will ask leave to present.

I cannot close this communication without congratulating your Lordship on the entire English nation which has just of extending the blessings Texas would have on its influence in this part of the world, which cannot be much exceeded to the greatest influence and commercial interest of England and promote the future peace and prosperity of that country.

I have the honor to be with sentiments of the highest consideration Sir Your Obedient Servant

A Buckley Henderson

London Oct. 26th 1837.

In this communication I received the following reply.

Lord Palmerston — "Lord Palmerston presents his compliments to General Buckley Henderson and has the honor to acknowledge the receipt of his letter of the 26th instant stating that he has received from which the Ministers of Texas authorized to be accredited as such, and Lord Palmerston will not fail to lay this letter before his Britannic Majesty agreeably to Gen. Henderson's wish."

"Foreign Office, October 31st 1837."

I have the honor also of acknowledging the receipt of your despatch of the 23rd of August last, inviting me to apologize for the English government for the seizure and detention of the English Brig called the "Black Rifle" — At the time I received this communication Lord Palmerston [illegible]

Excellency the President of Texas to assure him Majesty's Government, that upon its being made known to the Government of Texas that this vessel has been so wrongfully captured,

tion and apology which your honor instructed me to make. I addressed him the following note.

To the Right Honorable Lord Viscount Palmerston
Her Majesty's principal Secretary of State for Foreign affairs.
&c &c &c

"The undersigned Agent of the Republic of Texas to Her Majesty's government, begs leave to inform your Lordship, that by despatches which he has just received from his government, bearing date 25 August last, he is informed that a few days previous to that date an English vessel called the "Eliza Russell" commanded by Joseph Russell, bound to Vera Cruz in Mexico, had been captured and sent into the port of Galveston in Texas by the Invincible, a national vessel of that Government, under the command of Capt. Thompson, and that upon examination it was discovered that this vessel had been wrongfully captured and detained; she was immediately set at liberty and orders given by the government for the most speedy and ample satisfaction to be made to Capt. Russell for his unlawful capture and detention. The undersigned is further instructed by his Excellency the President of Texas to assure Her Majesty's government that this government regrets this occurrence and that measures have been taken to prevent the recurrence of such aggression.

The undersigned begs leave to say to your Lordship that it was his desire to write in person upon your Lordship (believing it more respectful to do so) and make the above communication, but learning from your Lordship had left town for a few days, and not knowing how soon your Lordship would return, he deems it best to withdraw it in writing as he desired your Lordship should know the disposition of the Government of Texas at the earliest period possible.

The undersigned begs leave to inform your Lordship that he has taken chambers at No 7 Leicester street, Piccadilly where any communication which he may be favored with by your Lordship will meet him.

The undersigned begs leave to be with sentiments of the highest consideration Your Lordships Obt. Servt

A. Pinckney Henderson

London Oct. 26th 1837.

To this note I received the following reply.

"Lord Palmerston presents his compliments to General Pinckney Henderson, and has the honor to acknowledge the receipt of his letter of the 26th inst. respecting the wrongful seizure and detention of the English vessel called the Eliza Russell, by a vessel under the flag of Texas.

"Lord Palmerston has also the same to thank Gen. Henderson for the communication, and to express the hope of his Majesty's Government, that Gen. Henderson will be enabled to state that the proper satisfaction has been given to the owners of the vessel for her unadjudged detention and capture."

"Foreign Office, October 31st 1837."

I have also stated to your honor Secretary that the Minutes and Agents of the Mexican Government had declared to the Citizens of England who held bonds on that government to pay a portion of the arrears due and to be collected in Texas and other parts of Mexico, and that the proprietors could perhaps be accelerated by a part of the landholders, and also that I would address [illegible]

Henderson to F. D. Lizardi. Protesting the Sovereignty of Mexico over Texas.

Having seen since my arrival in this City a publication in the newspapers in which you state that as Agents of the Mexican government you will attend at your Counting room in London from day to day after this date for the purpose of carrying into effect the agreement which the Mexican bond holders of the several loans effected in London at 5 and 6 per cent made with you on the 14th day of September ultimo, according to the terms of the decree of the Mexican government of April 12th 1837.—

And having also seen by referring to said decree that it is proposed to pay a part of said bonds, in lands to be located in Texas &c. and knowing as I do the disposition of the Government and people of Texas to establish and preserve the most friendly relations with the Government and Citizens of England, and the tendency which an attempt to carry any part of the before stated agreement into effect in Texas, would have to interrupt the good understanding between those concerned—

I the undersigned Agent and Minister Plenipotentiary of the Republic of Texas to the Court of St. James, do therefore hereby notify you and all others whom it may concern that the sovereignty of Mexico over Texas no longer exists, that the people of Texas having on the 7th day of November 1835 assumed the reins of government in that Country and subsequently declared their independence and entire separation from Mexico, and established the present constitutional government. No grants or sale of Land in Texas made by the Government of Mexico, since the said 7th November 1835 will be regarded as valid by the present government of Texas. I also in the name and by the authority of the government of Texas, do hereby most solemnly protest against all such proceedings in pursuance of the said contract and decree so far as they may affect the rights of that Republic.

I have the honor to be
Your Obt. Servant
A. P. Henderson

London. Oct. 16th 1837.

To this communication I have as yet received no answer. The absent members of the Cabinet returned to this City last week and it is understood here that they have within a few days held a meeting at which I expect Lord Palmerston delivered the communication, herein above set forth, I have not been informed by his Lordship of the result of their deliberations upon it, nor do I much expect to hear until the meeting of Parliament which takes place on the 15th inst.

I will however promptly inform your Honor, when I shall have heard from him on this subject. Should Lord Palmerston not answer me within a reasonable time, I will again call on his Lordship, and urge in a proper manner an answer.

I have the honor to remain
With sentiments of high regard;
Your Obt. Servant
A. Pinckney Henderson

G. Hunt to A. Jackson. Answer to No.

Texian Legation
Washington City Nov. 15th 1837.

Despatch No 20.

Sir

Since writing you on the 21st of October, I have in company with Col. Grayson visited Philadelphia and New York where we remained two weeks with our loan commissioners Messrs. Gilmer & Burnley, they failed in accomplishing their object, but from too long detainment which I yield to Hon. M. Biddle I entertain no doubt that if the loan Acts is altered in the manner which

be suggested by the Commissioners we shall soon be able to effect our desires in this respect. # I have had a long interview with Mr Forsyth since my return on the subject of annexation and am gratified to state that his tone is more favorable than it has ever been in any previous conversation I have held with him upon the subject. He remarked that if matters were properly conducted at home, he had no doubt the annexation would be accomplished. He spoke in very reasonable terms of the course of the New England States on the subject, and I now believe is a warm advocate for the measure of annexation and for having it accomplished as early as possible — I asked him whether Mr Montemos, the Minister of Mexico had made any suggestion on the subject of a tripartite treaty or cession of Texas. He replied in the negative, and stated that the Mexican Minister assured him that he had not yet received any instructions from his Government. I requested Mr Forsyth not to repulse any propositions from the Minister of Mexico, which he might make on the subject of Texas (if this Government desired a treaty of annexation with us) without first communicating with me on the subject.

The friends of annexation are increasing their numbers very fast in the Western States. There is not, I am informed in the Illinois delegation a single dissentient voice. Senator Allen of Ohio is in favor of it and both the Senators from Michigan are so, in their private sentiments and have promised to be so officially, if their constituents can be prevailed upon to sanction their course. I most ardently hope that my mission will succeed during the ensuing session of Congress, but I doubt whether it can be accomplished. Every possible exertion however shall be used to bring it to a speedy and successful termination

I have the honor to remain
Your Obt. Servant
Memucan Hunt

I wrote to Messrs Gilmer & Bunnell at length relative to the views of Mr Biddle, and learn that Mr Bunnell has since had a full interview with him upon the subject

The Hon. N. P. Irion
Secretary of State &c.

Legation of the United States
at Houston, 27th Nov. 1837.

Sir,

A La Branche
relative to appt
of Stewart Newell
Consul for U.S.

The President of the United States having thought proper to appoint Mr Stewart Newell, Consul of the United States for the port of Velasco in the Republic of Texas, I have the honor of submitting his commission to you as such, and requesting you to deliver an exequatur for him. You will be pleased to return the commission with the exequatur so that I may forward them to Mr Newell.
With high consideration and respect, I have the honor to be Your Obt. Servant
Alcee La Branche

To
the Hon. N. P. Irion
Secretary of State
Republic of Texas &c.

Legation of the United States
Houston 29th Nov. 1837.

Sir,

As I had the honor of apprising you ago, it becomes my duty to notify to formally Recog
United States

La Branch to R.A. Irion relative to claim for Brig Rocket & Durango.

with a request that the same be laid before his Excellency the President.

I would, & respectfully do myself the honor to give intelligence and sense of equity, were I to conceive that much time & strong statements of the facts were necessary to convince you of the validity of these claims and the perfect propriety of acknowledging them, I will therefore confine myself to a brief recital of the circumstances of the case.

On the 20th of March 1836, the brig Rocket sailing under American colours and belonging to citizens of the United States, left New Orleans bound to Matamoras. On the voyage she was captured by the Texian armed schooner Invincible, commanded by Lieutenant Brown and carried to Galveston and with her cargo appropriated without trial or condemnation by persons acting under the authority of the Texian government. The Captain and Crew with the exception of the second mate, who was still more severely dealt with, were detained nineteen days at that place, after which they were released and proceeded to embark for New Orleans. Permission was given them to take such articles of private property as belonged to them, but after a general search they were unable to find anything, save clothing, hats, books, quadrants, chests &c all missing having been already secured by the Captain. Thence to this, the passengers were transferred on board of a Texian armed schooner called the Brutus, where they were all stripped and searched by a person named Damon, who acted as Lieutenant, and four of them viz. Hill, Hogan, Murje and Combs were immediately put in double irons by him. One of the passengers Coyle, had his pockets rifled of them by the Damon and 497 dollars taken with other keepsakes Letters therefrom amounting in value in all to 500 dollars. Upon his receiving a simple receipt for the money alone, he was also put in irons.

Hogan and Combs received one hundred lashes on the bare back with a rope of nine tails stretched on an eighteen pound cannon, and were threatened by Hurd acting as Captain of the Brutus, and Damon that they should be hanged, the former accordingly loosened and traced for that purpose, and three ineffectual ropes were actually brought on deck with nooses around their necks and threatened with their impending fate. Jones and Taylor were tied to another cannon for the space of twenty four days, and the latter for seven weeks till the expiration of three periods credited of being released, they were forcibly detained without any legal pretext or process for the space of four months & seven months respectively, when they were transferred to the United States

Jones during all his bitter bondage was compelled to perform menial duties, such as unloading wood &c and had all his clothing and instruments of navigation taken from him.

An American citizen, bearer of a title honored and respected by all nations, and under the protection of their flag, they had a right to expect exemption from violence & outrage from any quarter, but above all from officers acting under the authority of the people of Texas, whose acquiescence & assistance and sympathy, should alike be so kindly entertained and repaid such constant marks of bleeding emotions.

The brig Durango commanded by James O. Bryan, also an American vessel was seized in Matamoras Bay and towed into Texian service by the order of Wm H. Wharton, Secretary of the Texian forces, and William S. Brown commander of the Texian armed schooner Liberty. Said vessel sailed from the port of New Orleans for the port of Matagorda, Captain Bryan finding himself deprived of his vessel and being unable to reclaim her in a legal way, and controlled to intercourse has protested his dissent from this proceeding by entering his protest in due form.

before Charles Millsaps, primary judge of the Department of Brazos and Jurisdiction of Matagorda, on the 22d of March 1836.

The facts above mentioned in relation to the capture of these vessels are made known to me by documents in my possession, duly attested, and which I am ready to communicate to you should you desire it.

The warrants claimed for the vessels is eight thousand and fifty dollars which I am instructed to demand of the Mexican government, and also to require an indemnity for the property taken from the individuals on board, and for the other injuries they received. For the latter claim I refer to further consultation with you to determine what shall be deemed just and equitable, and I doubt not, that we shall agree upon that point, as well as upon the justice and promptitude of the present application for redress. The almost universal reprobation that has attended the capture of the Packet and the confidence I entertain in the loyalty, justice and magnanimity of your government induces me to abstain from making any comments, or animadverting upon the conduct of those engaged on that affair in hopes that my feelings would prompt.

I have the honor to be, Sir
with high consideration
Your Ob.t Servant
Alcee La Branche

The
Hon. A. A. Dixon
Secretary of State
&c. &c. &c. Republic of Texas

London, December 22d 1837.

Legation of Texas.
Despatch No. 3.

To the Hon. A. A. Dixon
Secretary of State

Sir,

Henderson to Dixon and letters to & from Ld Palmerston on subject of recognition.

Not having received a reply to the communication which I made to this government through Lord Palmerston on the 29th October (a copy of which I forwarded to your office in Despatch No 2.) I deemed it expedient to address to Lord Palmerston on the 6th inst the following note of enquiry.

London, Dec.r 6th 1837.
No 116 Albany st, Regents Park,

My Lord,

The undersigned Agent of the Republic of Texas has heretofore had the honor in a personal conference, to ably on the behalf of his government, to Lord Palmerston, Her Majesty's principal Secretary of State for Foreign affairs, to procure the recognition of the independence of the Republic of Texas by Her Majesty's government, as declared by that Republic on the 2d day of March, A.D. 1836. The undersigned also beg leave to remind Lord Palmerston, that he did subsequently address to him a written communication setting forth the grounds upon which the Republic of Texas claims to be recognised as an Independent nation, which Lord Palmerston did him the honor assure him should be laid before Her Majesty's cabinet on the occasion of their next

To Palmerston.

The undersigned has now respectfully to request Lord Palmerston to inform him whether Her Majesty's government have the subject under their consideration; and if so what decision they have upon the application.

The undersigned takes [illegible]

consideration.

89.

L. Pinckney. Henderson

The Right Hon. Lord Viscount Palmerston
Her Majesty's principal Secretary of State
for Foreign affairs

After waiting until the 15th instant I again addressed him as follows:

London Nov.r 15th, 1837.
No 166 Albany Street, Regents Park.

My Lord,

The undersigned Agent of the Republic of Texas, had the honor on the 6th instant to request the Right Honble. Viscount Palmerston, Her Majesty's Principal Secretary of State for Foreign affairs, the following note; (Here follows the note of 6th October as above)

The undersigned not having been favored with any answer to the same is therefore induced to submit that his letter has not reached Lord Palmerston, the undersigned has now the honor to transmit another copy to Lord Palmerston and again begs the favor of an answer to the same.

The undersigned avails himself of the opportunity to renew to Lord Palmerston the assurance of his high consideration.

L. Pinckney Henderson

To the Right Honble Lord Viscount Palmerston
Her Majesty's Principal Secr. of State for
Foreign Affairs.

&c &c &c

To which I received the following reply

From Palmerston to Henderson.

Lord Palmerston presents his compliments to Mr. Henderson, and has the honor to acknowledge the receipt of his note of the 6th instant. Lord Palmerston will be happy to see Mr. Henderson at the Foreign Office on Thursday next, the 21st instant at 2 o'clock.

Foreign Office
December 18th 1837.

At the time mentioned in Lord Palmerston's note, I repaired to the Foreign Office, and held a personal conference with him, of which the following is the substance —

Brief of Henderson to Lord Palmerston's Conversation on subject of recognition, &c. &c.

Lord Palmerston said that he must ask me an apology for not answering my first note of enquiry more promptly, but the Cabinet had been occupied engaged on business of a domestic nature, which had prevented him from attending more promptly to my application —

He then observed that he had laid my communication before Her Majesty's government and taken their advice upon the same, and had also fully considering the application, he was instructed to inform me, that they could not [illegible] at the present time give me a decisive answer to the demand which I had made, that Mexico still maintained as threatening against Texas, and that Her Majesty's Govt were not prepared to act in a manner that might be viewed by them as precipitate, that this war about the recognition of Mexico and Texas, if she again intended to do so, and that this Government therefore must take time to delay action upon this business, at least for a few months, during which time they would be better satisfied as regards the ability of Texas to maintain her independence — He replied that it was desirable with me to have some more satisfactory and conclusive answer to the demand which I had made, and then observed that I could not see any reason for waiting as mentioned my interview at this Court as early as possible, that it would become my duty to see on that Tuesday, that I

was commissioned and instructed by my Government to proceed to France and solicit the recognition of the independence of Texas by that Government as soon as I might deem it expedient to do so, that I would be regulated in my movements in this matter, entirely by the actions of this Government; that I should not expected to have been able to settle the question of recognition of United States British government without difficulty or delay; on which event I was desired to proceed to France; that under this state of things Lord Palmerston could see no sufficient reason to have an immediate and decisive answer. He then he replied, that it was true that this view in which I regarded the matter placed our connection at different from the situation in which they regarded me as receiving; but again adverted to the want of satisfactory evidence in regard to the ability of Texas to maintain her present position, and to the unlikelihood that they would be compelled to deny any demand of ~~I~~ pressed them at present to a formal answer, and observed that a few months delay might not be of much importance to Texas, that this government felt very desirous to recognize the Independence of Texas so soon as they could do so, but to ~~to~~ observed, that if such were the feelings and disposition of Her Majesty's government, and I could have the assurance from him, that they would finally decide the question of recognition of Texas, that I should be regulated in my movements in this matter entirely by the action of this Government; that I should be expected to have been able to settle the question of recognition of United States British government without difficulty or delay; on which event I was desired to proceed to France; that under this state of things Lord Palmerston could see no sufficient reason to have an immediate and decisive answer. He then he replied, that it was true that this view in which I regarded the matter placed our connection at different from the situation in which they regarded me as receiving; but again adverted to the want of satisfactory evidence in regard to the ability of Texas to maintain her present position, and to the unlikelihood that they would be compelled to deny any demand of pressed them at present to a formal answer, and observed that a few months delay might not be of much importance to Texas, that this government felt very desirous to recognize the Independence of Texas so soon as they could do so, but to

produces the necessity of further discussion and I will make a portion of the conversation, which I shall embrace that occasion and remind Lord Palmerston of reference and sign the same to prevent any future misunderstanding. If however he should inform me, that his government declined giving me the required assurances, then I shall discuss the question fully on all points upon which they object to the recognition in order that I may make a statement of the circumstances and obtain Lord Palmerston acknowledgment of it in writing. I will keep the matter entirely secret because I can get his opinion more fully that way than by a correspondence and I can afterwards require him to acknowledge the statement which I shall make. You will see by Lord Palmerston's letter how that he had carefully avoided committing his opinions in relation to the affairs of Texas & writing. The entirety being the disposition I have determined to discuss the matter fully, if necessary before I ask him to give an opinion. After Lord Palmerston mentioned to me what was the objection of the Government to immediate recognition, I asked him if they had any other objection to the recognition, to which inquiry he gave me an answer which I augured as rather favorable but by which he evidently intended to intimate me, that they had no other reason for delaying the business, and I deemed it best not to press a more direct answer to this question until our next meeting). I further believe that this government is desirous of seeing what the Senate of the United States say on the message of Texas, and what disposition the Congress of the United States will make of the question of annexation, which Mr Calhoun gave notice he would bring before the Senate during the present session—

It is much to be desired that this question should be settled as it will continue to embrace the negotiations of Texas & recognition with all European nations. Would it not therefore be advisable for the Government of Texas, to notify me officially that she was no longer desirous of annexing herself to the United States, or at least that the measure had been delayed by the United States? and if Mr Calhoun measure succeed I will be ready at any time to delay action upon your instructions. The late news of the revolutions in Gallatia, the most unfavorable of which to Texas & Texan bonds will doubtless have some unfavorable influence upon the affairs of Texas with this Government.

If Lord Palmerston renews to me the occasion of our next interview that this Government will recognise Texas at all times I will then propose to him to cause an order to be issued to the different custom house officers, to admit vessels sailing under the flag of Texas bearing clearances from this country into the different ports of England which have done this sometime since, but that if Texas that this Government might consider such a request to mean that Texas not expect immediate recognition.

I have the honor to remain
with sentiments of esteem
Your ob. Servant
A. Richmond Pinkney

Legation of United States
Despatch No 4

London, January 5th 1838.

To
The Hon. R. M. Forsyth
Secretary of State.

Sir,

In despatch No 3, to your Town, I stated, that I had terminated the conference which I held with Lord Palmerston on the 31st ult. R. A Irisarri, with the agreement of writing on him on the 2d Inst. at which time relating to be furnished it be liable to inform me whether or not her Majesty's Government intended to grant me the assurances that they would recognize the independence Annexation of Texas in the course of a few months, provided things remained as with Lord Pal- they were at the time

merston on the subject of said Texas, several gentlemen in waiting before me; & therefore deemed it Recapitulation best to defer the interview until the succeeding day, of which I informed Lord by note, — On the next day (2d Inst) I attended at the Foreign Office when Lord Palmerston informed me that he had laid my request before the Cabinet; who after giving it their full consideration, had instructed him to inform me, that her Majesty's government declined giving such assurances, that they had adopted as their rule, which they had pursued - government had adopted never to make or pledge on anticipation of future events, to do an act which they were not legally bound to perform. In relation to the communication of this determination of this Government Lord having in my letter to Lord Palmerston of the 31st ult fully set forth the facts upon which I was claimed the right to be recognized by alliances & engagements previously, facts which I had flattered myself were amply sufficient to satisfy any government, that I was duly & fully authorized to present the independent position, I did not seek to know what right to make this new unexpected communication, and that I did not know what Texas could now expect from the justice of England, when I was informed that the only objection this government had to recognize the independence was a fear that Mexico might become her best friend, and when at the same time, this government refused to recognize her upon that objection was removed. Lord Palmerston replied that I misunderstood him, that he intended to be understood to say that this Government declined giving any pledge of their faith to recognize the independence of Texas at any particular time, in the event that things true as particular aspect at that date, but that they felt every disposition to recognize as soon as that objection was removed from their mind; that he wished me not to understand this government as refusing to recognize, because such was not the case, that they only wished further time to consider the matter and to be better satisfied of the ability of Texas to maintain her declaration; that he, their could not undertake to say now, that three months, or any other particular lapse of time would produce a change of circumstances which would induce their decide, and then again adverted to the fact, that last year at the season of the year, when they expected Mexico to invade Texas if she did again invade her. I then observed that I was gratified at assurances which he had given me of the good feeling which her Majesty government entertained towards the government and people of Texas but that so far as regarded the object which I had in view the assurance of this government that they would at

particular time, have

was the same to me as though they had absolutely refused. He requested that I may object in proceeding with this question as to ascertain whether or not it would be necessary for me to remain near their Government for a few months, whilst it should be ascertained whether or not Mexico would invade Texas with success or whether I might give up the hope of success here and proceed to France according to my instructions and solicit recognition from that Government. Lord Palmerston then spoke of some of the difficulties which might attend the passage which I had requested this Government to make, such as excitement in the public mind against Texas, and declared that the application to the present administration would be of no use to them who were opposed to slavery as Texas, and at the same time reminded me that the Texans had declared independence in Parliament with but a few months since. I admitted that there was some reason in what he said: that it was the doctrine in Texas to pay due regard to public sentiment, but at the same time, that with Mexico across our Government could well be aware of the growing importance of Texas, and that it was their interest to cultivate friendly relations with her, which they would not fail to do to the fullest extent, as soon as they felt themselves authorized by existing circumstances to do so. He however advised me that it was unfortunate for this government of Texas to link itself to the slave trade and prevent the introduction of African slaves, and said that this government had been informed that African negroes had lately been introduced into Texas from Cuba, by first landing them on the Coast of the Indies, and carrying them from thence into Texas.— I then again reminded Lord Palmerston that I had before informed them that the Constitution of Texas forbids the introduction of African Negroes into that Country, under that by an Law of last first Congress the penalty of death was inflicted upon every person concerned in introducing them in any manner into the Country, that I would repeat to him, what I had before assured them, that not a single African had been taken into Texas since the declaration of Independence, that if any there, that African negroes had been taken into the Country, but that they were taken there whilst she was under the dominion of Mexico. That Texas had effected by the United States Minister at Washington and to the British government that she, His Excellency the President message of May last, to interfere in the affairs of Mexico to prevent such unauthorized acts. (During the conference Lord Palmerston discovered from many minutes recommended that Lord Palmerston and the rest of the Cabinet had concluded amongst themselves that there were other reasons by which they might be more influenced in their views than the doubts which they entertained of the ability of Texas to maintain her position, the opposition which the Act of naturalization would meet with in Congress before the granted of Many privileges, the interest of the Creditors of Mexico in England, the desire to see what disposition the Congress of the United States will make of the question of annexation, all have been influences upon his Government.) Lord Palmerston mentioned among the interests among other reasons for delay, that the other nations of Europe would laugh at England if she recognised at this time, and Mexico should succeed in a few months in reconquering Texas, that they were ready before recognised her, that not a single African had been taken into Texas since

have the intention of having acted upon such which constituted a strong case to justify it. Her Ministers had the United States abroad in a different attitude before Europe than in accordance of the locality, but I persisted in not being made to see the strength of this assertion.

Matters now passed between Lord Palmerston & myself until I deem it unnecessary to detail, inasmuch as it would serve little to enable your Lordship to judge of the disposition of this Government towards Texas. After we had finished the above discussion, I learned from Palmerston, that the instructions, which he had then given me, in regard to the recommendations of this Government upon this foreign question, which I supposed before, were modified, in consequence of the receipt of Texas subsequent instructions, which were that if Great Britain should be opposed to the recognition of said vessels sailing under the Texian flag, as having clearances from said custom house, as well as the vessels of the sailing Texian Colonies from any of the ports of Texas, and all the documents furnished me to show the ownership of the property in vessels, Her Government had no wish to use any compulsion to this purpose, but that I should urge it's earliest consideration, & then rest my case ...

The cause which this Government had determined to pursue towards Texas, have caused me to determine to proceed to France agreeably to my expectation and instructions. Hence I now respectfully will fix the engagement into acting upon the claims of Texas to recognition here as fully as the case, When has no Mexican interest to defend by recognition — No fanatical anti slavery party, No necessity to obtain a pecuniary favor which would tax our ability to create an interest against the administration, Neither find she a colony which is daily attached to gather the example of Texas, and declare its independence, All of which conspire to prejudice the rights of Texas with Parliament ...

Since my last conference with Lord Palmerston, I have obtained the subject of opening the ports of England to the vessels of Texas & which communication I will despatch to you as soon as I shall have received his reply to the same, Some days have elapsed since I addressed his letter to Lord Palmerston, yet I have received no answer, And notwithstanding the intimation that my request in this regard would be granted, yet I look upon this delay as fatality ensured.

As mentioned in my last despatch, that I would receive no protocol of any Lord conference until after Lord Palmerston's return, but understand as he never mentioning which would be of serious benefit to me in future negotiations, I thought such as step to be unnecessary.

I have the honor to remain with sentiments of the highest consideration

Your Ob't Servant

A. Pinckney Henderson

A. Labranche to R. A. Irion relative to Red River County

Legation of the United States
Houston, 13th January 1838.

Sir,

Having been informed that land offices are about to be opened within the territory under the jurisdiction of the United States on Red River, and that commissioners for that purpose have been duly appointed under authority of this government of Texas, notwithstanding the remonstrances of the Hon. John Forsyth, Secretary of State of the United States, it becomes my duty on the parts of this government I have the honor to represent, to protest, as I now do solemnly protest against such encroachment on said territory.

Confiding in the high rectitudes of his Excellency the President, I trust that upon your communicating this protest to him he will take such measures as the exigency of the case requires.

I pray you to accept sir the assurances of my high consideration

Alce La Branche

To the Hon. R. A. Irion
Secretary of State of the Republic of Texas

Legation of the United States
Houston 13th January 1838.

Sir,

A. LaBranche to R. A. Irion relative to boundary of Red River County

Having seen published in the "Telegraph" of the 13th inst. an act to define the boundaries of the County of Red River, which act is not only to define, but organise said County, I have the honor with due respect to request you to inform me whether said County to be so organized, does not comprehend the territory or any portion thereof, alluded to by the Hon. John Forsyth in his remonstrance to the government of Texas. The apprehensions I feel upon this matter, induce me to make the present enquiry, to which I trust you will give an immediate and explicit answer.

Be pleased sir, to accept the assurances of my high and distinguished consideration.

Alce La Branche

To the Hon. R. A. Irion
Secretary of State
of the Republic of Texas.

Legation of the United States
Houston, 16th January, 1838.

A. Labranche to R. A. Irion relative to entering into the Land in Red River

The undersigned has the honor to acknowledge the receipt of a letter from the Hon. R. A. Irion Secretary of State of the Republic of Texas, in reply to a communication addressed by the undersigned, upon the subject of an Act defining the boundaries, and organising the county of Red River.

The Hon. Secretary informs the undersigned that said county includes the territory in the possession and under the jurisdiction of the United States.

And whereas, the organization of said County [illegible]

of Texas, is in direct violation of the rights of the United States

The undersigned Chargé des affaires of the United States, in the name and on behalf of said government, does protest, solemnly protest against this and all measures whatever injurious to the said United States, or the part of the government of them, removing the protest already made by them, against the establishment of land offices in said territory, and solemnly reclaiming against the exercise of any powers over the territory aforesaid by the Government of Texas, incompatible or conflicting with the just powers and authority of the United States

In recording this protest, the undersigned cannot refrain from expressing surprise at these proceedings on the part of the government of Texas, and that so little regard has been shown to the remonstrance of the government of the United States conveyed with a desire to prevent all difficulty until the settlement of the boundary between the two countries would have determined their respective limits. But so far from complying with the just requisition of the United States, the Government of Texas has given further cause of complaint by actually organizing the territory, and placing it immediately under her jurisdiction. These encroachments, the government of the United States will not allow, and the Hon[t] Secretary must be well aware how eminently calculated they are to produce deplorable results.

The undersigned requests the Hon[t] Secretary to lay this protest and reclamation before the President, feeling convinced that his Excellency will pursue such measures as will comport with the sentiments of amity and perfect harmony between the two governments, thus obviating a resort to steps that may devolve upon the United States, should the government of Texas persist in extending her authority over said territory

The undersigned assures the honorable Secretary of State of his great consideration and respect

Alcée La Branche

To The Hon[t] R. A. Irion
Secretary of State, of the Republic of Texas.

The following despatch No 25. should have been recorded on page 70. but was omitted.

Despatch No 25. Texian Legation
Washington City August 10th 1837.

Sir.

Rund to Irion

I have the honor to transmit herewith through the agents of the government at New Orleans a copy of my note of the 4th instant to the Hon[t] John Forsyth, proposing the annexation of Texas to the United States.

In regard to Annexation of Texas to the United States.

In introducing this very important subject, it was necessary to be full and somewhat minute in the history of the settlement of Texas and her contests with Mexico, and in order to do this, I was compelled, as you will perceive, to present a comparative history of the two countries, which is very brief, in relation to Mexico, and as succinct as is consistent in the account of [illegible].

perpetuate the existence of the union. With these sentiments and impressions you can form a just idea of my solicitude for the accomplishment of any mission, and shall be extremely gratified to discover that you entertain similar opinions unofficially in relation to its importance. My whole mind is devoted to its accomplishment. It is a desire, more than any thing else as it is fortified by the belief that nothing can be more beneficial to my beloved and adopted country. My fears in relation to the disposition of this government to institute its deliberations upon the subject of annexation induce me to suggest to you the policy of pressing it in any manner, should it be necessary to bring the consideration of the subject before Congress, whether the Executive may desire it or not. To do this, it will be necessary for you to address a communication to a member of Congress, (and leave me to fill up the name if you please) soliciting him to present the within proposition and reasons of annexation to the Congress of the United States. I will now draw up such a treaty or proposition as I believe will succeed and place it with the communication, with your and direct to such member of Congress as will be able to secure most influence in its favor. I must beg that you will solicit his Excellency the President to direct you to enclose me a blank order for a copy of the archives of this Legation since its establishment that the same may be published, or any part thereof, as printing is cheaper and may be better done in the United States than in Texas. The object of these requests you will readily discern and appreciate for should the Executive of this government pursue an entirely calm course and patiently evince a disposition to defer the consideration of the subject until there should be danger of its being defeated entirely, it would then be necessary to bring the question before the nation through a different channel and in a different form. And should our government persist in its determination to try every possible means of accomplishing the measure, without regard to the opposition of the Executive, then the plan above suggested, has occurred to me as the most feasible that could be adopted. How long the President will cause the Secretary of State to defer an answer to the proposition of annexation, I am at a loss to say.

I have not yet received a reply from the Secretary of State upon the subject of a communication to Gen. Green a very distinguished Mr Poinsett, Mr Forsyth and Mr Rhetts, as Americans in a despatch some time since are favorable to annexation. Mr. Poinsett we have a powerful advocate. The Southern states and Texas should know at a proper time, how zealously he advocates the measure, and Senate this mention of the distinguished gentleman's name that the archives of this Legation may be testimony to his valuable efforts for its accomplishment.

Governor Hamilton of South Carolina reached this City on the 8th instant. I waited upon him immediately after hearing of his arrival for the first time and the honor of taking this gallant son of the South by the hand. I have communicated with him as freely than with any other citizen of these states, and am very much delighted at his zeal for Texas.

My despatches are generally written in haste and without that attention to the arrangement of sentences and language, which I should bestow if they were to be made public without my being allowed to correct them in this manner. You will please excuse these defects

I have the honor to be very respectfully
Your Obedient Servant

To the Honorable H. Allen
Secretary of State of the Republic of Texas

Friday Morning 11th August

Sir

Since writing the above, I have ascertained beyond a doubt, that Mr Forsyth Secretary of State of the United States is violently opposed to annexation!! I could not avoid proclaiming on hearing of it, "and you too Brutus" knowing it as I did to be "the unkindest cut of all"; for it proves him to be a traitor to the most delicate and deepest interests of those to whom he is indebted for the very power and influence which he is now attempting to exercise against them. But thanks to God, if matters terminate as it has been intimated to me they will, this ingratitude will bring about results for Texas, the South and himself precisely contrary to his expectations. Were it not for Mr Poinsett we should lose the question, and if it succeeds I award to him in advance the greatest and most unqualified praise. If I am successful, this cabinet will not remain as it is. You understand me. Mr Kendall is a zealous supporter of the measure, but unfortunately for us he is absent. He and Mr Poinsett has the battle to fight, they are valiant soldiers, and I deem the comparison analagous when I say of Mr Poinsett that like the brave Bowie and Travis and their associates, he will not survive a defeat:- he will not hold office unless the question is carried. This is true patriotism, his name is worthy to be associated and remembered with those of the most chivalrous Captains and Statesmen of our gallant native land or the one of our adoption

Hunt to Jones, subject - Annexation.

General Hamilton left this city on yesterday

Mr Secretary Catlett set out on a visit to his father last evening and expects to remain a week. I have therefore to attend to the duties of both Ministes and Secretary. Mr Catlett is as attentive as it is possible for one to be to the duties of his office, but it is impossible for him to perform all the labors attendant thereupon at this time, I conceive myself very fortunate in having near me a gentleman who is in every way so agreeable to me as Mr Catlett is.

I have the honor to renew my expressions of regard

Memucan Hunt

To The Honble
R. A Irion
Secretary of State

Legation of Texas
Despatch No 5

London January 30th 1838.

To The Hon R. A Irion
Secretary of State
Sir

Henderson to A. Irion, with correspondence between him and Palmerston, subject of

In despatch No 4, I mentioned that I had addressed a communication to Lord Palmerston upon the subject of opening the Ports of Great Britain to all vessels belonging to citizens of Texas, or having clearances from her Custom Houses; which &c. was as follows.

London. No 166 Albany St Regents Park
December 29th 1837

My Lord,

The undersigned agent of the Republic of Texas, has already had the honor in a personal conference to express to Lord Palmerston, Her Majesty's principal Secretary of State for Foreign affairs, the wish of the government of Texas to open without further delay, a direct trade between the two Countries; and having received from Lord Palmerston an intimation of the propriety of submitting such a proposition in writing, the undersigned has the honor to make the following proposals. We requests that the Ports of Great Britain be opened to all vessels sailing under the flag of the Republic of Texas, and which shall have clearances from any of her Custom Houses; and also that the Vessels of all other nations in amity with Texas and Her Majesty's Government, and having Clearances from any of the Custom houses of Texas, be admitted into the Ports of Great Britain, upon such terms as are consistent with the laws and regulations of Her Majesty's Government in such cases. The undersigned has been influenced to make this proposition on the part of his Government to show the desire to cultivate the most friendly intercourse with Her Majesty's Government to acknowledge the Independence of Texas, by the manner desired which the Government and People of Texas entertain in this regard and which is strengthened by the conviction of the great advantages which would result to the People of both Countries from such a measure.— Lord Palmerston is aware, that the principal article which Texas now has for exportation is Cotton.— This material is at this time ready in that Country for Market.— The Merchant and Planter cannot as things now are, dispose of it in any other Market than the United States, where they are compelled to pay a heavy duty; and in return for which they purchase in the United States and carry to Texas goods chiefly manufactured in England, upon which the consumer in Texas is compelled to pay the double duty of Texas and the United States in addition to the commissions and profits of each Merchant and Carrier through whose hands the goods pass.— It is not without feelings of anxiety and gratification that the undersigned looks forward to the opening of this intercourse between the people of the two Countries, heightened by just expectation, that such a measure will be means of speedily convincing the people of England, that it is their interest to cultivate a friendly intercourse with Texas, and of satisfying the Government, that justice demands that they should recognize her Independence, by exhibiting to the one her immense resources, and to the other her ability to maintain her present Independent position.

Henderson to Palmerston, his views, and reasons respecting a Commercial arrangement between Great Britain & Texas &c.

The undersigned deems it unnecessary to accompany the above request with a statement of the grounds upon which Texas founds her claim to recognition by other nations, inasmuch as they have been fully set forth in the communication which he had the honor of addressing to Lord Palmerston on the 26th of October last; and for the further reason, that the question of Independence is not necessarily involved in the present proposition. The undersigned regards it as sufficient for the present purpose to remind Lord Palmerston, that the present Government of Texas has been in possession of the Sovereignty of that Country for more than two years,— that during the whole of that time, (with the exception of a few months in its commencement) they have remained undisturbed by Mexico.

While Mexico could reasonably entertain the expectation of maintaining the war with Texas and re-establishing her authority in that Country, she might have had some reason for objecting to other Nations recognizing the Independence of that Country; but even there after she had lost all authority and control over the revolted country and left it in the hands of those who had assumed the reins of the government, could not reasonably object to other countries carrying on a trade with Texas. The undersigned takes pleasure in informing Lord Palmerston, that [illegible] are now admitted by the laws of

favored Nations. Lord Palmerston will remember that Texas not only assents her right to be regarded as an Independent Nation, but she has been acknowledged as such by one of the most powerful and prudent Governments on Earth. A government too which from its situation is better able than any other to judge correctly of the ability of Texas to maintain her Independence. Some respect is due to the opinion of that Government, which the undersigned feels assured Her Majesty's Government will readily yield. The undersigned flatters himself that Lord Palmerston will see the necessity of giving the above request his earliest attention, and of communicating to the undersigned, the determination of Her Majesty's Government upon the subject, in order that he may forthwith inform his Government of the same, and in order that the People of Texas may take advantage of the measure during the present season

The Undersigned takes this opportunity of again renewing to Lord Palmerston the assurance of his high Consideration

H. Pinckney Henderson

To the Rt Honble Lord Viscount Palmerston.
Her Majesty's principal Secty of State for Foreign Affairs.

At the time the above communication was made, Lord Palmerston had left London for a short time during the Christmas Holydays. He returned to Town on Saturday (13th inst) and not having answered the above letter, I deemed it my duty to urge an immediate answer, inasmuch as the request was one which did not require much consideration. Accordingly on the 16th inst I addressed him the following note.

London. No 166 Albany St Regts Parks
January 16th 1838.)

My Lord.

Henderson to Palmerston.

The undersigned agent of the Republic of Texas had the honor of addressing to the Right Honorable Lord Viscount Palmerston, Her Majesty's principal Secretary of State for Foreign affairs on the 29th ultimo, a communication upon the subject of opening the Ports of Great Britain to Texian Vessels &c. &c.

The undersigned has now the honor to request Lord Palmerston to inform him of the disposition that Her Majesty's Government has made of the same.

The undersigned takes this opportunity to renew to Lord Palmerston the assurance of his high consideration

H. Pinckney Henderson.

To the Rt Honble Lord Viscount Palmerston.
Her Majesty's principal Secretary of State for Foreign Affairs.

On the 22nd inst not having received an answer from Lord Palmerston to either of my two last communications, and being anxious to complete the business to which they allude, before I proceed to France, and also having learned from a Foreign Minister at this Court, that such delays are very common with Lord Palmerston, I deemed it necessary to follow up my last letter with the following

London. No 166 Albany St Regents Parks
January 22d 1838.

My Lord

The undersigned Agent of the Republic of Texas, [illegible] to call the attention of the Right Honble Lord [illegible]

Hen Majesty's principal Secretary of State for Foreign Affairs, to the communication which he had the honor to make to Lord Palmerston on the 29th ultimo upon the subject of opening the Ports of Great Britain to vessels sailing from any of the Ports of Texas, and having clearances from her Custom houses &c. and again requests of Lord Palmerston an answer to the same. When Lord Palmerston is reminded that the undersigned did heretofore in a personal conference inform him, that it had now become incumbent upon the undersigned to leave England for a time to discharge duties with which his Government has intrusted him in another Country, he feels assured that Lord Palmerston will no longer delay answering the communication alluded to. Nor will the undersigned, when he recollects that Her Majesty's Government is well informed of the present and past situation of Texas, - that she has now for nearly two years maintained her declaration of independence, that notwithstanding she is only separated from Mexico by an immaginary line, Mexico has made no attempt to re-establish her authority in that Country since the capture of General Santa Anna. and the expulsion from Texas of the whole army of Mexico in April 1836, And that the Government of the United States has for twelve months recognized Texas as an Independent Nation, has received the Minister of Texas at Washington and has now her Representative residing near the government of Texas, permit himself for a moment to believe that the delay of Lord Palmerston#1 is caused by a wish or determination on the part of Her Majesty's Government, to refuse to comply with the request therein contained.

Henderson to Palmerston on the subject of Commercial Arrangements.

The undersigned avails himself of this opportunity to assure Lord Palmerston of his high consideration

E. Pinckney Henderson

To the Rt Honble Lord Viscount Palmerston
Her Majesty's principal Secty of State for Foreign Affairs.

#1 in answering his Communication

To which I received on the 24th this reply

Foreign Office January 23d 1838.

Sir

I have the honor to acknowledge the receipt of your letter of the 29th ultimo, containing a proposal for opening a direct commercial intercourse between Texas and Great Britain, and also your letter referring thereto dated the 16th and 22nd instant. —— I regret that by an accidental oversight, your letter of the 29th ultimo should have remained so long unacknowledged; and that I am not yet enabled to give you a definitive answer upon the subject of which it treats.

Palmerston to H. acknowledging receipt of his &c.

But I have referred the matter to the Lords Commissioners of Her Majesty's Treasury and to the Privy Council for the Affairs of Trade, and so soon as I receive the answers of those Boards, I will not fail to make you acquainted with the decision of Her Majesty's Government upon this subject.

I have the honor to be Sir, Your most Obdt Humble Servant.

Palmerston

General Pinckney Henderson.

I have determined in pursuance of the discretionary power vested in me by instructions from the department of State accompanying my Commission, to proceed to France, after waiting a reasonable time upon Lord Palmerston for an answer, but will first introduce to Lord Palmerston, Mr McIntosh, in whose charge I will leave the affairs of Texas at this Court during my absence.

His Excellency the

of the situation

question now under the consideration of this Government of entering into a commercial arrangement with Texas, is one in my humble opinion, of vast importance to her, both in a commercial and political point of view, It would indeed be but little less important than an absolute recognition of her Independence, and would very much hasten the consummation of that object, by laying open to British capital and capitalists a wide field for future operations. Large Shipments of goods from this Country to Texas will immediately follow that act of this Government, which will show to England the importance of recognizing Texas and entering into the most extended Commercial arrangements with her. I am the more anxious to complete this arrangement previous to my leaving England for France, inasmuch as the interest of Texas abroad might be injured if I left this country, without either procuring her recognition or any other advantageous arrangement.

I also received from Lord Palmerston on the 24th Inst the following communication.

Foreign Office January 24th 1838.

Sir,

With reference to the letter which I had the honor to receive from you dated the 26th of October last, and to my answer thereto dated the 31st of the same month, relative to the proceedings of armed Vessels under the flag of Texas towards British Merchant Vessels; I beg leave now to transmit to you a copy of a letter which I have received from Messrs Lizardi & Co, British Merchants relative to the seizure of British property composing part of the Cargo of the British schooner "Little Penn" by the Texian Armed schooner "Brutus" accompanied by a statement of the value and the particulars of the property seized. The British Government cannot entertain a doubt, after the declaration contained in your letter of the 26th of October, that the Texian Authorities will order immediate restitution of the property so unquestionably seized; and full compensation for all losses and damages thereby sustained, as well in the case of the "Little Penn" as in that of other British property which has in like manner suffered by the illegal proceedings of Texian Armed Vessels.

from Palmerston & U.S.A. relative to Schooner Little Penn.

I have the honor to be your most obedient humble Servant
H. Palmerston.

General Pinckney Henderson.

The letter of Messrs Lizardi & Co alluded to in Lord Palmerstons note, was as follows,

(Copy)

To the Right Honorable Lord Viscount Palmerston,
His Majesty's principal Secretary of State for Foreign Affairs.

from Lizardi & Co relative to Little Penn. Sails from Abispa.

The British Schooner "Little Penn" David Pugh master was chartered in the month of April 1837 by the Partners of the undersigned at Liverpool, Messrs F.D. Lizardi & Co for a voyage from Liverpool to the Port of Tobasco, in the Province of Yucatan and Republic of Mexico.

Having completed her loading, the 'Little Penn' sailed on the 3d May 1837 for her aforesaid port of destination. Nothing material occurred during the voyage until the 26th June, when the schooner struck upon a shoal called the "Alacranes" in North Latitude 21° 32'. Finding all his efforts ineffectual to get the vessel off, the Master sent his Boat down to the Mainland in search of assistance. On reaching Campeche and making the case known, the Mexican authorities gave every aid, and conjointly with agents of the Consignees despatched two Mexican Schooners. The "Paz" Captain Vanstoveren, and the "Abispa" Capt

On reaching the Shoal, where the "Little Penn" lay wrecked, they

commenced Loading the before mentioned Schooners with the effects on board the 'Little Penn,' with which the Paz was laden, and despatched for Campeachi, where she arrived in safety. But the "Abispa" when about leaving the wreck with her Cargo, was captured by the Texian Armed Schooners "Brutus" and 'Invincible" and sent as lawful prize into a Port of Texas. Not content with this violence, the said Texian Schoo= =ners afterwards plundered the wreck of the 'Little Penn' of every thing valuable, and there is reason to believe, made Prize of another British Schooner bound from Liverpool to Pisak, as appears by the enclosed document with translation marked **C**. The value of the Cargo shipped on board the 'Little Penn' was five thousand and one hundred Pounds Sterling, for which sum it was insured at Lloyds Coffee House by the Undersigned. It also appears by the enclosed documents marked **D**. that the value of the goods saved from the wreck of the 'Little Penn' by the Schooner 'Paz' amounted to £1143.5.9. Sterling, and since none of the Cargo had been thrown overboard, or washed away by the Sea, it follows that the entire remainder of the Cargo was plundered and made prize of by the Texian armed Schooners before mentioned which, as is proved by the accompanying document marked **C**, before referred to, they actually carried into a Port of Texas.

For this depredation on their property, the undersigned have never received any redress, nor have they even received even any intelligence (beyond what is contained in the enclosed documents) respecting the property thus violently, and in the opinion of the Undersigned thus illegally seized.

In submitting the preceding statement to the consideration of your Lordship, the Undersigned beg leave respectfully, as well on their own behalf, as on that of the Insurers and owners of the 'Little Penn' and her Cargo, to entreat the interference of her Majesty's Govt with the Texian Authorities to obtain the restoration of the Property plundered from the aforesaid British Schooner, or in default thereof, adequate compensation for the loss sustained

I have &c. &c.

(Signed) F. D. Lizardi & Co.

20 Austin Friars
5th January 1838

This Letter was accompanied by documents in the Spanish Language, of which the following is the translated copy of the one al= =luded to marked **C**

Marine of Yucatan

Mauro Mª Lapiso, second Lieutenant of the Na= tional Marine, with the Brevet rank of first, and Adjutant to the Captaincy of this Port, charged with the duties thereof.— Certifies that in the declaration made before this Tribunal by the Patian Citizen Antonio Ramirez, and of the Mate Pascual Mar= tinez amongst other matters they state. That on the 31st of the Month last past, the Pirate Schooners of Texas, the Invincible and Brutus made their appearance below the Sanpiens (Alacranes) and there did capture & seize the National Schooner Abispa, from which place she was going out Loaded with effects saved from an English Vessel that had been wrecked at that place some short time previous, and which Schoo= =ner after Capture was manned with a crew taken from the Pirate Vessels. That on the day following, the Pirate Commandant with all the Boats went on board the Wrecked Vessel, and robbed it of all it contained, in doing which they consumed two days, returning to their own vessels after having carried away every thing valuable they could find. That on the third of the present month, an English Schooner appeared in sight, and immediately the Brutus showed the Mexican Flag, and under that flag took possession of the English Vessel, and divided her crew between the two Pirates, placing the Captain on board the Invincible. That Captain was a fat man of Ordinary size, and seemed about 50 or 60 years. That he spoke in English to the Commandant, and as far as this depo= could understand, he stated that

Mauro Mª Lapiso relative to Little Penn and Schooner Paz= =Abispa.

=ed from Live

as prize, and after manning her with a crew from the Pirates, her own Captain was sent on board, and she along with the two National Schooners Abispa and Telegraph were sent to Texas, the National Schooners having their own crews.

All of which is declared and stated in the presence of Don Joaquin Gutierez De Estrada, to be employed for all the convenient purposes of Justice.

Done at Campeche on the 16th of August 1837

(Signed) Mauro Mª Carrizo.

This Certificate is followed by the Signature of the French Consul in attestation of the Signature of the Deponent?

relating to Little Penn.

The other Document marked ID which was also in the Spanish language, is simply an account of Sales of the goods alledged to have been saved from the Little Penn previous to the approach of the Bustler and Invincible, and which shows the amount saved to be of the value of $ 14528. 6. You will observe that Ligandi in his letter to Lord Palmerston, state that the goods saved were only worth £1443. 5. 9.ª which appears to have been the net proceeds of the sale after deducting the salvage amounting to $4842. 7. and the expenses amounting to $2155. 5.; and claims to be indemnified to the amount of the balance of the Original Cargo, which would be (supposing him to have some claim to indemnity,) making the Government of Texas liable to pay to him the salvage and expenses of that part of the Cargo, which she never touched..

To Lord Palmerston's letter I communicate the following reply, on the 25th Inst:

London No 166 Albany St Regents Park
January 25th 1838.

My Lord,

J. P. H to Lord Palmerston relative claim of Ligandi &c

The undersigned agent of the Republic of Texas, has the honor to acknowledge the receipt of the letter of the Rt Honble Lord Viscount Palmerston, Her Majesty's principal Secretary of State for Foreign affairs of the 24th Inst, with the accompanying documents, setting forth a claim of Messrs Ligandi &c against the Government of Texas, for property alledged to have been illegally seized by her armed Vessels. The undersigned not having received from the Government of Texas any information or instructions upon that subject, can now only assure Lord Palmerston that he will not fail to dispatch to his government the communications and documents alluded to, and take their advise upon the same. — The undersigned can assure Lord Palmerston that if upon investigation it does appear to the Texian Government that the property refered to was wrongfully seized, they will not fail to make full compensation or restitution to the owners, for the same. —

The Undersigned has the honor again to repeat to Lord Palmerston the assurance of his very high consideration

J. Pinckney Henderson

To the Rt Honble Lord Viscount Palmerston,
Her Majesty's principal Secretary of State for Foreign Affairs }

I beg leave to suggest to the Honble Secty of State, the great necessity of giving this business, the most prompt, thorough and impartial investigation, and of instructing me what to say to this Government in that behalf. — That this claim of Messrs Ligandi &c is without a just foundation, I cannot permit myself to doubt; but it has become equally important that I should be furnished with the facts attending the capture and condemnation of that property, be the claim just or unjust; in order that I may satisfy the British Government upon that subject under the instructions of His Excellency the President.

I have the honor to remain, Your Most Obdt Servant J. Pinckney Henderson

Despatch No 29. Texian Legation. Washington City
January 31st 1838.

Sir.

Mr Hunt to Mr A Dixon relative to Annexation &c.

Nothing of very especial moment, relative to the concerns of this Legation, has occurred, since the date of my last despatch, of November 15th, and I have been defering this communication from time to time, in order that I might have something definite to communicate to you in regard to the probable success of the negotiation for the annexation of Texas to the United States. Moreover as Col. Grayson was thoroughly acquainted with the situation of our affairs here, I relied upon his giving you a detailed account of every thing, upon which you might wish to be informed, and deemed it unnecessary to trouble you with a communication on paper of matters, which he could so much more satisfactorily communicate to you in person. I think I can now address you with a full understanding of our prospects on the subject of the negotiation. The views of this administration have been thoroughly sifted, and unless I am greatly mistaken, clearly ascertained. The general feeling in Congress too, I shall be able to communicate to you with every confidence in its accuracy. Ardently as I have desired the accomplishment of the measure and unwilling to abandon hope, so long as there remained the slightest prospect of success, I can no longer repel the conviction that the measure is utterly impracticable under existing circumstances.

In regard to the attitude and disposition of this administration upon the subject of the admission of Texas into this Union, the simple truth of the matter is as follows. That the Government of the United States is anxious for the accomplishment of the measure, there does not and cannot exist a shadow of doubt. It has been their settled and uniform policy to get possession of Texas for the last twelve years. See the instructions of no less than four Secretaries of State, Mr Clay, Mr Van Buren, Mr Mc Lane, and Mr Forsyth to their Ministers in Mexico, between the years 1825 and 1835. I will venture to say, that there is no man personally more anxious for it than Mr Vanburen himself. Mr Forsyth, Mr Poinsett, Mr Kendall, all desire it. But hampered as they are by their party trammels on the one hand, and their treaty obligations with Mexico on the other, by the furious opposition of all the free states, by the fear of incurring the charge of false dealing and injustice, and of involving this country in a war, in which they are now doubtful whether they would even be supported by a majority of their own citizens, and which would be at once branded by their enemies at home and abroad as an unjust war, instigated for the very purpose of gaining possession of Texas and for no other, they dare not and will not come out openly for the measure, so long as the relative position of the three parties continues the same as it is at present. Such is the disposition and such the actual situation of this government in regard to the subject of annexation.

Opinions and feelings of leading men in the States relative to Annexation

So long as the relations of the three parties continued as they were at the time the proposition was made, (and as they still are) the voluntary consent of Mexico was regarded by the United States as a necessary condition precedent to the admission of Texas; and as that consent could not reasonably be hoped for under existing circumstances, it was deemed indispensable that such a material change should be brought about in their relative position, as would either justify the United states in admitting Texas without the consent of Mexico, or reduce the latter into such a situation, that she would no longer hesitate to yield her consent to the measure. Either of which alternatives would have rendered its easy and speedy accomplishment. When I last wrote to you I confidently in my hopes that such a change would be speedily effected. United States declaring war against Mexico, of which at that time there was strong probability, and in which event, one of the objects of annexation

matters might then be so managed as to make the Rio Grande the South-western boundary of the United States, with a due regard to the rights and claims of Texas. I had every reason at that time to believe that there would be a war, abundantly justified as the United States would have been in declaring it by the repeated injuries and insults which they had sustained at the hands of Mexico; nay, imperitively called upon as many of the administration thought they were to vindicate the insulted honor and dignity of their country. Moreover I had received positive assurances from leading men of that party that the administration was determined to recommend a pre-emptory course towards Mexico and, in event of a declaration of war I did not doubt of their hearty co-operation with me in effecting the object of annexation. Not that the war would have been brought about for the purpose of obtaining Texas, but that presenting measures from other motives ought to be adopted in respect to Mexico, and in event of their being adopted, the measure of annexation would then become one of comparatively easy accomplishment. The President accordingly, in his Message to Congress at the beginning of the session, came out openly and explicitely upon the subject; but an alarm was immediately caused by some of the Members of the opposition, and he was openly charged in Congress by Mr Adams with desiring to bring about a war with Mexico, not to vindicate the honor of the Country and redress the injuries which she had sustained, but for no other purpose than to secure the acquisition of Texas. Since then, the popular feeling upon the subject of a war has been, in some degree, tested and it has been pretty well ascertained that a war at this time would not be a popular one. At present there is little or no probability of its taking place at all; and even though it should take place I doubt whether it would aid us much in the accomplishment of our object as the fear of being charged upon very plausible grounds with having brought it about for unjust purposes, and the timidity of a falling administration would prevent it from acting with requisite decision and assuming the necessary responsibility.

Annexation

I would now beg leave to express my earnest desire to be recalled. For many reasons I am anxious to return immediately to Texas and trust that the President will not deem my request untimely or unreasonable, after having devoted two years almost exclusively to the interests of my adopted country. The business of the Legation is now in a fair train, and what remains to be attended to can be very well accomplished by others. The Legation itself is on a highly respectable footing and ranks with the other Legations in this City. At the same time however that I avow my extreme unwillingness to remain here any longer, I would not be thought to have put selfish consideration in the balance with the interests of Texas, and should the President deem it necessary that I should remain here a month or two longer for the accomplishment of any specific object, I shall not hesitate to comply with his wishes, I repeat my conviction that it would be useless to push the matter of annexation any farther. I believe that it would be derogatory to ourselves to insist upon it any longer. If the United States desire Texas, the proposition should now come from them. Our true policy now, in every aspect of view, is to appear indifferent on the subject; and leave it for this government to solicit of us the consummation of a measure, which I am well assured, will be the more desired by them, the less solicitous we appear about it ourselves.

Dismt. expresses desire to return to Texas.

For Congress, the general feeling upon the subject is like that of the Executive. Many of our warmest friends in that body regard the measure as beset with unsurmountable difficulties, and both friends and enemies are afraid of the question. Mr Calhoun made an ineffectual effort a short time since, to bring it up in the Senate; his resolution on t

indirectly the expediency of the measure, was laid on the table by an overwhelming majority. Mr. Preston's resolutions, affirming the right and expediency of making the Rio Grande the South Western boundary of the United States, with the consent of Texas, are set for the first Monday in February, but my full and decided impression is that they will likewise be laid on the table. In the course of a confidential conversation, which I had with Mr. Clay, a few days since, he assured me that he was friendly to the annexation of Texas, but that in his opinion, the time had not arrived when the question could be taken up in Congress with any probability of success. Petitions upon petitions still continue daily pouring in against us from the North and East.

In short, it is not to be disguised that many of our friends as well as enemies in Congress, dread the coming of the question at this time, on account of the desperate death struggle, which they foresee, will inevitably ensue between the North and South; a struggle involving the probability of a dissolution of the Union and in which the friends of annexation would contend under every possible disadvantage.

Nor is it to be concealed, that the matter has been thrown into the background for the present, as it were by common consent, and that in the existing state of transition, in which parties appear to be, leading men are principally engrossed with their own personal safety; position and prospects. The administration party are in a tottering condition and are struggling hard to save themselves from falling. On the other hand, the whigs are pressing on, with all their energies bent upon the overthrow of their adversaries. Texas and every thing else forgotten in the struggle. We have friends and enemies on both sides, and neither party are willing at this time to embarrass themselves with a question, which would necessarily disunite them and produce confusion in their respective ranks.

In regard to the running of the boundary line, I have had an additional conversation with Mr. Forsyth, in which he again insisted upon the Sreches, as the true eastern limit of Texas; altho I had invariably declared and again took occasion to say, that the words of the treaty of 1819 were too explicit to admit of so forced a construction, and that the Sabine river referred to in the treaty was the identical stream, to which we claimed and the same that was laid down upon Mellishes Map of 1818; and that by no manner of means would the Government of Texas renounce its claim to a portion of territory, to which it was so clearly entitled by the specific and express words of the treaty itself. I repeated the desire of my government to have the line run immediately as far as the Red River and no farther at present. He asked me how far west we contemplated running our Northern boundary. I unhesitatingly replied, as far as the Pacific Ocean. He insisted upon making the operation a single one and running the line the whole distance, and altho I repeated the disinclination of the government of Texas to have it run further than the Red River at present; and urged the inutility, as well as the inexpediency of running it farther, he persisted in saying that the whole had better be run at the same time and stated that unless the government of Texas was positively bent upon having its eastern limits established at this time, the President greatly preferred that it should remain open for the present. He moreover said that we must agree to protect the commissioners and Surveyors; to which I replied, that if he would undertake to secure them from the Indians, I thought I could guarantee that they should not be molested by the Mexicans. He then asked me if I had obtained a full power from home to make a treaty for the establishment of the boundary. To which I was compelled to answer that I had not, (as I had received no separate the departure of Col Karnes) I herewith transmit you a copy of the form of a full power and beg leave to send one in

Boundary line

also, to guard against any obstacles arising in the way of his negotiations in England on the score of informality.

Form of a full power.

Sam Houston President of the Republic of Texas.

To all to whom these presents shall come, Greeting.

Know Ye, That for the purpose of confirming & cementing the Republic of Texas and the Government of the United States perfect harmony and good correspondence, and of removing all grounds of dissatisfaction, and reposing especial trust and confidence in the integrity, prudence and ability of Memucan Hunt, appointed Envoy Extraordinary and Minister Plenipotentiary of the Republic of Texas, near the said Government of the United States. I have invested him with full and all manner of power and authority, for and in the name of the Republic of Texas, to meet and confer with any person or persons duly authorized by the said Government of the United States, being furnished with like power and authority; and with him or them to agree, treat, consult and negotiate of and concerning Amity, Commerce, Navigation, annexation and limits between the two countries, and of all matters and subjects connected therewith, and to conclude and sign a treaty or treaties, convention or conventions, touching the premises, transmitting the same to the President of the Republic of Texas, for his final ratification, by and with the advice and consent of the Senate of the Republic of Texas.

Form of a full power to a Minister.

In testimony whereof, I have caused the Seal of the Republic of Texas to be hereunto affixed.

Given under my hand at the City of Houston the ..... day of ..... and of the Independence of the Republic of Texas the .....

Sam Houston

By the President.

R. A. Irion.

Secretary of State

Mr Smith has not yet arrived with the despatches in his care though I am daily expecting him. I shall probably write you again shortly after his arrival. General Henderson writes in good spirits of our prospects in England

M. Hunt to R. A. Irion. Annexation.

Since writing the above, I have learned that a change is to be made very shortly in the Cabinet. I was informed by one of the gentlemen going in, should such a change occur, that until within the last day or two, this government had entertained no serious apprehension of a treaty being made between Great Britain and Texas, but that having recently ascertained that there was a great probability of such an event, they have become seriously alarmed upon the subject, and I was agreeably surprised to learn, that the President was determined to arrange the new Cabinet in such a manner as to have a majority of its members in favor of the immediate annexation of Texas to the United States. He also expressed his conviction, that in the event of such a change being made, a treaty of annexation could certainly be concluded in the course of a few months, and ratified before the end of the present session of Congress. It will not be very long before I shall be enabled to ascertain beyond a doubt, whether the hopes thus newly raised may be reasonably encouraged or not. Should I find that there is a good prospect of their being realised, I shall inform you of it without delay, and commence operating with renewed alacrity. In consequence

of this information I would beg leave to modify my request to be recalled, and desire that the President will leave it discretionary with me in this recall, to remain until a treaty of annexation is concluded, should the negotiations be opened anew.

I have the honor to be with distinguished regard
Your Obed't Servant.
Memucan Hunt.

To Honorable
H. Anson. Secretary of State.

Despatch No 30.

Texian Legation
Washington City Feby 3d 1838.

Sir.

I am truly gratified at being enabled to state to you, that I have received additional information since my last despatch, (number 29 of date Mr. Hunt to Mr. Lamar) which increases my belief that this government is on the eve of commencing R. Anson. in good earnest the most active steps for the accomplishment of annexation of our country to the United States. Whilst at the Capitol on yesterday, I was informed by Mr. Calhoun Annexation. in the strictest confidence, saving however the privilege of communicating the information to you, that this government was considering the policy of despatching a private mission to Mexico, to treat for her acquiescence in any negotiations between Texas and this Government relating to annexation, and that there was little doubt as he had just been informed in a note from a member of the Cabinet of a favorable accuet, as very satisfactory information had been received, affording good grounds for the belief that such a mission would be attended with immediate success. I am to have another private interview with Mr Calhoun to day or tomorrow, and if any additional assurances are given me I will communicate them to you without delay.

Wonderous changes indeed have occurred on this subject within the last week. From almost entire despair our hopes may be considered bright. Mr Calhoun had given up all hope one week ago, and now he thinks there are good grounds for the belief that it will be speedily accomplished. I had been induced to inform the Secretary of State, that I should ask of my government a recall, and it is generally believed in this City that I will take my departure in two months. To this circumstance I mainly attribute the apparently earnest action of this government, favoring the accomplishment of my mission.

You shall hear from me very often so long as the prospect continues favorable for the accomplishment of my mission. Jack Smith has not yet arrived.

I have the honor to be
Your Obedient Servant.
Memucan Hunt.

To
The Honorable
H. Anson
Secretary of State.

Legation of the United States
Houston Feby 26th 1838.

The undersigned, Chargé d Affaires of the United States, has the honor to acknowledge the receipt of the reply of the Honorable Secretary of State of the Republic of Texas, to the communications of the undersigned of the 13th and 16th.

The undersigned feels much surprise that this reply is at variance with what the honorable Secretary stated to him in the conversations they have had upon this subject; and that he
to throw, upon the

A. La Branche to R. A Irion. relating to the land offices opening in Red River County &c &c.

that it is to be attributed to the government of Texas. But Governments, like individuals, to give a color of justice to their proceedings, occasionally seek to attach the responsibility of the original offence upon the party whom they have injured, in order to avoid being considered the aggressors.

The honorable Secretary states that only a portion of the disputed Teritory is included in the late Laws of this Republic, and that it "has been under the jurisdiction of the United States"; intimating it is so no longer, when, on a letter of inquiry addressed to him by the Undersigned, he declares, positively, that the whole of that Teritory is comprehended. The honorable Secretary cannot surely pretend that the Legislation of this Republic can possibly divest the United States of their jurisdiction and territorial rights and transfer them to this Government. The United States will not suffer any conflicting jurisdiction on the part of the Government of Texas over that Teritory, much less an entire usurpation.

The honorable Secretary claims as an excuse for not replying sooner, that the representations, made by the undersigned, on behalf of the United States, were only laid before the President on his return from the Bay. The honorable Secretary has forgotten that he informed the Undersigned, that he had submitted to his Excellency, the protest of the 13th against the establishment of Land offices before his departure. The President may have thought that immediate attention might be very well dispensed with, as his views on the importance of this subject according to the honorable Secretary, have undergone a material change

The undersigned does not specify this omission, which may have been through inattention, as of any particular moment, but merely for the sake of accuracy, and that there may be no misconception.

The Undersigned deeply regrets that the communication of the honorable Secretary breathes a spirit so little in accordance with a desire to secure the mutual interests of the two governments, and that pretentions, so incompatible with the just rights of the United States, and the satisfactory adjustment of the boundary without any violation of their respective claims, should be attempted to be justified; and a determination to persist in the very measures that the call of Congress by the President, was intended to avert; the impropriety of refraining from these encroachments being no less apparent now, than at that period

The honorable Secretary in ascribing the present difficulty to the boundary being unfixed deems a convention, to confirm the stipulations with Mexico, on that subject, unnecessary, as that treaty "has become a public law." X The undersigned feels unauthorized to discuss, at present, how far the honorable Secretary is correct in this opinion, but will merely observe that Mexico and the United States, in similar circumstances, acted under the persuasion that a convention was proper. The honorable Secretary weighs emphatically, in his communication in calling the treaty with Mexico "a public law" # for all the other articles it contains. When the Undersigned enquired of the honorable Secretary if he understood that treaty, in its general bearings, to govern the two Countries, until a treaty was formed between them, his reply was he did, so far as the Indians and boundary were concerned, but no further. The Undersigned would be indebted to the honorable Secretary to enlighten him upon the point, why the treaty is to be regarded as "a public law" only for these two and not for the rest. The honorable Secretary must be aware

only for the limits, defining the

X To view it as a public law

that if the government of Texas assumes the privilege of choosing what suits their purposes, the United States have the same right to take from the "public law" what they conceive most convenient to them. This government refusing to be governed generally by that treaty, the United States may consider no portion of it binding.

The honorable Secretary alledges that the Undersigned "intimates, that it is within the competency of the President, as the chief Executive officer of this Republic, to suspend the law organizing Red River County and the land office therein, as he (the President) did that, against the execution of which, Mr Forsyth remonstrated". The undersigned disclaims having intimated any such thing, and challenges any expression of his, which can authorize such an interpretation. The undersigned has no inclination, nor is it his province, to point out the course the President should take in such matters; his Excellency is certainly the exclusive judge of his constitutional powers, and how far he is competent to act. The undersigned fulfilled the duty incumbent on him, by merely making an appeal to the President, leaving it to his sagacity and wisdom, to apply such a remedy, as he conceived the case might require, comporting with the friendly relations between the two countries.

The undersigned, altho he disclaims such an intention, as being an improper intermeddling on his part, is, nevertheless, under obligations, to the honorable Secretary, for drawing a distinction between the former case when the President interposed, and the present when he declines any interposition. According to the honorable Secretary, the differences, which reconcile this apparent inconsistency, are that "in the latter, Congress passed the laws, and elected the officers required to carry them into immediate effect, while in the former, the law was to go into operation at a stated period, and the appointment of officers were to be made by the Executive, which he declined doing, by which the law remained inoperative". The undersigned cannot understand the honorable Secretary as meaning that the President can do that indirectly, which he may not do directly, and if the honorable Secretary does not mean this, it is impossible to conceive what he does mean. And, in fact, the undersigned did not require that the honorable Secretary should go into any arguments upon this question upon a gratuitous supposition, that the Undersigned desired the honorable Secretary, to reconcile the contradiction, which the honorable Secretary himself, supposes, since he thinks it necessary to make the effort, between suspending the former Land law, and a refusal to suspend the present.

But the Undersigned cannot refrain from remarking the discrepency between the views of the Executive when he considered it proper to arrest the former law, and those put forth, by the honorable Secretary to sustain him in an entire different line of conduct, at the present moment.

The undersigned has nothing before him to show why the same solicitude, then manifested by the President, is dispensed with, as the same causes now exist which produced the conviction, that the former law could not go into operation, (these are the words of the Message addressed to Congress on the occasion) "without conflicting with subjects too important to be disregarded, inasmuch as some of the land districts would necessarily fall within that section of country, over which the United States have, for some years, exercised civil jurisdiction." The undersigned will not immagine that his Excellency the President, is less sensible of the propriety of avoiding a conflict with subjects "too important to be disregarded" than he was when he originally took a view of this matter, or that conclusions he then formed, after it is presumed, the most mature delib[illegible] reflection, are less the result of a sense of justice, of re[illegible] the very extraordina[illegible]um

pretentions to this territory now authorize encroachments, be them unhesitatingly condemned, a decision which was confidently regarded as a guarantee of his intention to refer the subject to the arbitration of commissioners, as contemplated by the treaty with Mexico.

The President, himself offers the very best proof of the good intentions of the government of the United States, and their sincere desire of meeting the government of Texas upon such just principles as would secure a satisfactory termination of their respective claims by distinctly declaring in the message to Congress before referred to, "that this measure (the appointment of a commissioner) was based so as to correspond with measures which have been adopted on behalf of the government of the United States for ascertaining the true boundaries of the two countries." The President proceeds: "Though no official intelligence was derived from the United States, it nevertheless was deemed satisfactory as to its correctness, and has subsequently been verified, as will be shown to your honorable body, by documents which will be referred for your consideration." Again says the President, "It is to be deplored that as soon as measures had been adopted by the Government of the United States on this subject that the government of Texas was not apprised of the fact, or its agents near that government until the 17th of June last, when a communication was made to our agent by the Honorable Secretary of State for the first time, of the desires of that Government."

Provision, it seems, was made, at the close of the session preceding the one the President had called, for the appointment of a Commissioner on the part of Texas, but no appointment was made in pursuance therewith, and yet it is assumed, "the United States have deemed it expedient very much against the wishes of the President, to postpone the fixation of that line!" Whatever may be the Presidents persuasions upon the necessity for settling the boundary agreeably with the treaty of limits, and however assiduous he may have been in urging the matter upon the government of the United States, it is very clear that he has not seen proper to provide a commissioner until very recently, and that, after an attempt to wrest this territory from the United States, and hold it before the limits can be designated, and in fact, before advising the Government of the United States of the appointment!!

The Congress, pursuant to the Presidents proclamation, met, on the 25th September, to take into consideration his suggestions; and anterior to the 1st of October passed a joint resolution "suspending the operations of the land law", thus "sustaining the President in the course he had taken." It was reasonable to expect that a measure, calling for the special interposition of the President, and the action of Congress, would not have been received with such precipitency, especially when there was a sincere disposition to facilitate the adjustment of the boundary, in accordance with the stipulations with Mexico. Yet within a very brief delay, without waiting for any communication of the United States upon the subject, and, for all the undersigned knows, without even informing the United States of any such intention, of any penalty that would follow so fast upon the footsteps of the act of grace, as would render it abortive, another law is introduced and passed, whose provisions are precisely similar, and which are equally obnoxious to the Presidents censure, "as conflicting with subjects too important to be disregarded." This anomaly, in just and wise legislation, appears to be obvious to the mind of the Honorable Secretary, since he alleges certain complaints against the United States as affording "some apology" for the course of Congress in organizing

that disputed territory." What these complaints are will hereafter be noticed, but they are by no means adequate completely, even in the eyes of the honorable Secretary, to rescue that body from a portion of blame.

How the honorable Secretary can find grounds to justify proceedings, that he himself confesses, admit but of a partial apology, the undersigned is at a loss to determine, nor can he see in the circumstances set forth as an "apology" a sufficient pretext for persisting in measures of whose improper character the President appeared to be so well aware.

The undersigned conceives, it would have been better, as the honorable Secretary has no means more cogent than those he advances, that he should simply have signified that the President declined any interposition.

Had the honorable Secretary confined himself to this, and refrained from impugning the conduct of the United States, it would have superseded the necessity of the present discussion.

The undersigned cannot discover, in any of the acts of Mexico, to which reference is had, that the United States have "tacitly acquiesced" in the right claimed by the honorable Secretary, for that power over the disputed territory.

A tribe of Shawnee Indians, the honorable Secretary states, applied for this territory to the government of Mexico and it was refused them. How can the honorable Secretary torture this simple fact into a recognition by the United States of the right of Mexico to this territory in question? Mexico by refusing to concede it to them, dispensed the necessity for any remonstrance since nothing existed to require it.

As to Wavel, to whom the territory was granted, according to the honorable Secretary, it appears he never effected any settlement on behalf of the government of Mexico. How then, again, could the United States interfere without any act to justify it? This is an entire new principle introduced among nations.

Further, the honorable Secretary urges that Mexico had a fort at a place called Spanish Bluffs. When, or under what circumstances this was the honorable Secretary says not. The undersigned cannot perceive that the right of the United States have been impaired, admitting such to be the fact.

Again the honorable Secretary invokes certain laws that were enacted by the State of Coahuila and Texas and Mexico which however were carried into execution. Had it been attempted to enforce this random legislation, as the Government of Texas seem determined to do, the United States, so far from acquiescing as the honorable Secretary would affect to believe, would have prevented all encroachments, and have maintained entire their jurisdiction over that territory. In that event the honorable Secretary would probably have been relieved from the task of translating the Spanish documents upon which he relies, and the undersigned from the trouble of noticing them.

Suppose the government of Mexico (if her difficulties with Texas were limited to a question of boundary) was to make, near the line to be run within the apparent limits and under the jurisdiction of the latter, a grant of land to a company of individuals, who, from some cause or other were prevented from making any settlement, the government of Texas not remonstrating at the time, would this confer a title upon Mexico? Certainly not. But it seems from the arguments of the honorable Secretary it would, as the grants to Wavel were of this description.

The honorable Secretary dwells with great com-

upon the efforts made by Mr

effect, assuming the Honorable Secretary's statement to be correct, that the United States have acquired, by the treaty of Louisiana, what it had not, were the United States entitled to whatever territory France possessed East of the Rio Grande? Was the United States entitled to all the territory which France claimed East of the Rio Grande? Had she that right, because France claimed it? Was the Honorable Secretary in earnest, when he contended that by virtue of the treaty of Louisiana the United States had acquired the right of jurisdiction over the territory East of the Rio Grande, which was claimed by France, but which was not in the possession of France, at the time of the treaty? Was the United States entitled to the territory East of the Rio Grande, because Texas had declared her independence of Mexico, and had established a government de facto? Was the United States entitled to the territory East of the Rio Grande, because Texas had declared her independence of Mexico, and had established a government de facto? Was the United States entitled to the territory East of the Rio Grande, because Texas had declared her independence of Mexico, and had established a government de facto?

The Honorable Secretary seems particularly fond of the term "settlement" as applied to the occupancy of the territory by the United States troops. Was the settlement at Nacogdoches, or at Bexar, or at Goliad, or at Velasco, or at Anahuac, or at Matagorda, or at Brazoria, or at Columbia, or at Gonzales, or at San Felipe, or at Harrisburg, or at New Washington, or at Lynchburg, or at Galveston, or at Liberty, or at Jasper, or at Sabine, or

the jurisdiction exercised by the United States, over the disputed territory.

The newness of this proposition is so obvious, that it cannot sincerely be maintained. Besides, what county was Red River County at that time? The territory, now understood to comprise it, by the late act of Congress, was not then organized. Red River County was undefined. It might have meant a county to be formed on the Brazos or on the Colorado, which was much more reasonable to infer, than that it meant any portion of Arkansas.

The honorable Secretary refers the undersigned to a late report of the Committee of Foreign relations of the Congress, as further establishing the propriety of the late laws organizing that territory. This report exhibits the anxiety of Congress for the running of the line, and concludes with a resolution authorizing the President to appoint a commissioner for this purpose. But it bears it self a very remarkable contrast to the communication of the honorable Secretary. It is proper to remark that it was introduced on the 3d of October last, and with the usual incidents, the appointment, it contemplated, must have been retarded, until November. When the appointment was actually made does not appear, but it was not officially promulgated until after the adjournment of Congress. Admitting, however, that the Ministers of this government, at the earliest moment, communicated it to the government of the United States, it would have been next to impossible for any action to have been had upon the subject before the passage of the late laws. This is only noticed incidentally, as illustrating how far the unavailing efforts of the government of Texas extended, and how far the subsequent acts were justified by a mere compliance on the part of the United States. It is true that the honorable Secretary, in conformity with a call from the Senate, upon which the report of the committee of Foreign Relations was based, informed that body that he had addressed a communication to the Ministers at Washington, signifying to him the passage of the former law authorizing the President to appoint a commissioner to run the line and instructed him to obtain a like appointment, on behalf of the United States. But the report of the committee clearly shows a disposition to renew the application, and precede it by the appointment of the commissioner, which the President had failed to make, and which the Congress again felt it their duty to urge. Thus it is evident, that Congress, by a solemn act, having so resolved, and the President having confirmed the same by the appointment, there was an obligation to await the result.

In connection with the foregoing, the undersigned will respectfully call the attention of the honorable Secretary to the protest, made by several members of the Senate, against permitting Mr Ellis to take his seat as Senator, in the late Congress, from the territory he assumed to represent. Most of these members were of the Committee of Foreign Relations, and the question was one they were peculiarly qualified to decide. The grounds they insisted upon were, 1st "that the United States of the North exercises at this moment, actual and exclusive jurisdiction civil and military over the country the honorable gentleman claims to represent; 2 dly. that no such county has ever been organized in accordance with the requisitions of the laws of this Republic: 3 dly. that the three names, appended to the honorable gentleman's certificate, are the names of individuals entirely unknown to the laws and constitution of this Republic: 4 thly, that it does not satisfactorily appear that the honorable Senator is a citizen of this Republic: 5th that it is quite possible that the running of the line from the 32nd degr. Latitude on the Sabine to Red River, will throw that a large County of Red River, and probably the honorable S. is in the United".

One of the members who protested, Mr Burton, emphatically declared, "that the question before the Senate was in reference to the exercised jurisdiction, and not the right of soil: that the territory in question is represented in the Legislature of Arkansas, pays taxes to her, and her inhabitants are liable at any time to be ordered into Military service against this Republic. These facts are incontrovertible and admit of no dispute" Such were the views of several of the most intelligent members of the Senate, among whom was Wm H Wharton, Chairman of the Committee of Foreign Relations, a gentleman who has filled some of the most important offices in the Republic, and whose opinions are entitled to great weight from the reputation he enjoys for information and research Another gentleman, Mr Burton is a surveyor, intimately acquainted with the disputed territory and sustained, by his professional knowledge, in what is advanced in the protest "that it is quite possible it will fall within the boundaries of the United States."

How, then, can the honorable Secretary assume, with such certainty as a fact, that this territory of right is within the limits of Texas, and that a thorough persuasion of this authorizes the late proceedings? How can he maintain that all the acts of this Republic, as well as those of Mexico, and the State of Coahuila and Texas, are so many proofs it was so considered? It appears they have never set forth their pretentions, except so far as Texas is concerned, by the laws against which the undersigned has protested, as is contended for by the Honorable Secretary. The convocation of the extra session of the Congress, by the President, implies clearly, that whatever may be his impressions, whether the running of the line will place this territory within the limits of Texas or of the United States, still, that the actual occupancy by the latter was not to be disturbed until the fixation of the line should settle that question. The acquiescence of Congress, in the object for which he had convened them, is a further confirmation of this view of the subject.

Nay more, the House of Representatives were so fully impressed with this fact, that in the bill that originally passed their body, they expressly excluded Red River County from the operation of the law. The objectionable Section as it stands, is so worded, as to require a close examination to ascertain its real intent; which, at once, goes to prove that its author entertained apprehensions it could not pass unless it were involved in obscurity. And the honorable Secretary himself who is familiar with that part of the country, has often expressed the belief, that when the line shall be run, the greatest portion, if not the whole of the disputed territory will be within the United States.

But it appears, now, according to the communication of the honorable Secretary, that the United States have not a shadow of a right to this territory. The undersigned will leave the honorable Secretary to reconcile to his own satisfaction these conflicting and contradictory opinions; he cannot however refrain from observing that the honorable Secretary has taken a vast deal of pains to combat a mere phantom. The undersigned feels astonished that "a shadow" should have influenced the mind of the President so far as to have induced him to convene an extra session of the Congress, when, according to the message, "the frequent call of extra sessions is to be deprecated, but the necessity of the present meeting could not be so well anticipated by any future action our honorable body, as it can at the present moment." The honorable [illegible] must admit that this "shadow" has been very potent, and [illegible] conceived its true character

The undersigned considers the very message of the President, delivered at the opening of the extra session of Congress, with which the honorable Secretary has been so obliging as to furnish him, as in itself sufficient to refute entirely the grounds assumed by the honorable Secretary. The very same arguments, by which the President was convinced that this territory should not be interfered with, but that the settlement of the boundary should be made by commissioners, apply with as much force now as they then did. The acts of Mexico to occupy this territory, to which allusion is made by the honorable Secretary were as well known then as they are now, yet they were thought insufficient to be urged. It appears strange, indeed, that the government of Texas should rely upon such acts, when she has proclaimed "to the world" what faith she places in the rectitude of that government.

The undersigned, regrets that he should be under the necessity of entering so fully into a matter whose discussion might very well have been spared, had the honorable Secretary in communicating the determination of his Excellency, abstained from making reflections upon the government of the United States, and calling into question the propriety of their conduct in relation to the disputed territory. A sense of duty has made it imperative upon the undersigned to meet and refute the charges of the honorable Secretary, and to sustain the just rights and prerogatives of the United States.

The undersigned concurs with the honorable Secretary that, when the limits shall be settled all differences will be eradicated, and he trusts until then, the government of Texas will see the propriety of forbearing from any encroachments, which he again repeats will not be allowed. The United States have exercised up to the present time, are exercising and will continue to exercise jurisdiction until the relative claims of the two Countries shall be adjusted.

The honorable Secretary, as collateral reasons for the enactments of the late laws, alleges "some unwarrantable acts on the part of agents of the United States on Red River". The undersigned is bound to conclude, as these grievances are of anterior date, if they be of the serious nature now assigned them, the proper representations must have been made through the organ of this government at Washington, where they have undoubtedly received that attention they merit.

In regard to the complaint against the two officers of the United States army, the honorable Secretary will permit the undersigned to believe, until his government shall have determined upon the matter, that their conduct is not reprehensible.

But, granting the weight which is attached to these acts, what have they possibly to do with the subject under consideration? As disconnected matters, they might, perhaps, form a proper subject of complaint, but in the manner and place they are brought forward, it would seem they are urged with intentions too obvious to require comment.

The undersigned would fail in the duty he owes to the country he represents, were he not to repel the accusation of the honorable Secretary that the United States have disregarded the 33d Article of the treaty of amity, commerce and navigation with Mexico, which is sought by the honorable Secretary to be rendered still more culpable by his supposing that this Article was proposed by the United States. It was impossible to have anticipated such a charge from the source from whence it emanates. The constant regard of the United States for their treaties and their faith in fulfilling them has obtained the admiration and respect of all nations. How can this government give utterance so unworthy a reproach, when she has, herself, in so remarkable and signal manner, been indebted to the rigidity with which the United States fulfilled that very article of the treaty. Had it not been for

every inhabitant,

savage foe. The President and the honorable Secretary have frequently declared this to their solemn conviction. Yet with this fact before their eyes, the good faith of the United States has seriously been arraigned. But the remembrance of the least it seems is not the quality of governments, and although the United States having only complied with their obligations, do not claim any acknowledgment, still it may appear somewhat singular that simple justice should be denied them, when the results have been of such vital consequence

The undersigned trusts that the language applied by the honorable Secretary to the United States, was not intended to convey the meaning it does. He is induced to this belief by the friendly relations existing between the government and people of the two countries, which, he entertains the ardent wish, may not be disturbed by any sinister remarks that would ~~xxxx~~ wound the feelings of the other. He therefore will dispense with further observations under the persuasion that the honorable Secretary will appreciate his motives

The undersigned will comply with the request of the President to communicate, to the government of the United States, the reply of the honorable Secretary, and will take the same occasion to lay before that government all the correspondence upon the subject to which it refers. The wisdom of his government, the undersigned is confident, will decide upon the course that will devolve upon it by the refusal of the government of Texas to listen to the remonstrances that have been made in its behalf, and while it will insist upon its just rights, every disposition on the part of the government of Texas, to preserve friendly relations, will, he is assured, cordially be reciprocated

With sincere anticipations, that these unsettled matters, that depend upon the fixation of the boundary, may be so arranged as to give satisfaction to both parties, and preserve that line of conduct which our mutual interests prescribe.

The Undersigned renews to the honorable R. A Irion, Secretary of State assurances of his distinguished consideration

Alcée LaBranche

To the honorable R. A. Irion
Secretary of State of the Republic of Texas.

Despatch No 31.

Texian Legation
Washington City 3d March 1838.

Sir

Mr Hunt to R. A. Irion. relating to a conversation between Mr Hunt and Mr Forsyth on the boundary question &c.

I herewith transmit you all the written interchanges which have occurred betwixt this Legation and the Department of State of the United States since my Despatch No 30.

The Secretary of State addressed me a note last evening requesting my presence at the Department this day at 11 Oclock A. M. What the nature of his business is I cannot at present conjecture; but I will apprend the substance of our interview if it is of any importance as soon as I can. In the mean time I will suspend any additional remarks until I know its nature.

I have just returned from the conference with the Secretary of State who after the usual courtesies, on my arrival at the Department, mentioned that he had desired an interview with me to communicate a disagreeable fact. He said he regretted to know through the charge of the

United States near the Government of the Republic of Texas, that the Land Law authorizing Surveyors &c &c had gone, or was about to go into operation in that portion of the Territory between the Red and Sabine rivers claimed by both Governments, and that it was his disagreeable duty under the circumstances to direct the Marshal of the United States whose jurisdiction extended to that portion to arrest any person or persons who should be found surveying any portion of said lands. I stated to him that the Land Law alluded to was the supreme Law of the Land in the Republic of Texas, and I could guarantee to the United States that my Government would make void any surveys which the citizens might make under its directions or sanction, should such surveys be found to be without the limits of Texas upon the final settlement of the question, between the two Countries. That Col. Milam and others in Texas, had for their own information, with good surveying instruments for that purpose passed on a direct line from the 32d degree of North Latitude on the Sabine river to the same point on the Red river, and there was a general concurrence among the citizens as to where the line would run when it should be officially surveyed, or within a few miles thereof. Mr Forsyth then said that no circumstances which I could present would vary the determination of this Government. I mentioned the deep regret that the President of Texas would experience at the slightest difference between the two Governments, and stated that the law authorizing the land offices &c. &c. was not written his control, that he had vetoed it but that it had gone into operation by a constitutional majority of both houses of Congress without his signature. He then remarked that the President of the United States felt every assurance that the President of Texas had the kindest and most amicable feelings toward this Government, but that the Government was fixed in its determination to resist with force if necessary the execution of the Land Law of Texas in the said Territory, and that instructions would be given to the Governor of Arkansas to support the Marshal in the execution of his instructions. I expressed a hope that nothing serious would grow out of the affair; and further added that the Congress of Texas was, I had no doubt at the time of the passage of the law authorizing the opening of land offices, under the impression that the boundary line would be established before the said Law would go into operation, which circumstance it appeared to me, was entitled to some consideration in preventing this government from an immediate action thereon.

I also stated the Land Law aforesaid had imposed proper restrictions touching the border Territory in contemplation of a speedy adjustment. I remarked in continuation, that it was unnecessary for me to repeat the anxiety so often manifested on behalf of my Government that the boundary line should be finally established. He still expressed a hope that nothing unpleasant would grow out of the course which he had felt it his imperative duty to pursue, touching the orders issued to the Marshal and the Governor of Arkansas.

I would recommend, most respectfully, through you to his Excellency the President of Texas, the propriety of exerting his private influence to induce the officers in the County of Red River to suspend the opening of the land offices and all surveys under the Land Law until the boundary line can be established which may be expected in a very short time

The views expressed in the first part of my Despatch No 29, I refer you to as my present opinions on the question of Annexation. The information in regard to the appointment of a new Cabinet may be correct, but I have no confidence whatever in its favorable considerations of the subject of annexation.

The Sub-Treasury bill is still under consideration in the Sen which has prevented the consideration of Col. Preston's resolutions relating to Tex I expect they will be taken up the last of [illegible] or the first of next [illegible]

I was very m

mation and instructi

to its contents in verbal interchanges with the Secretary of State.

Should you not have forwarded me the necessary power to make a treaty of limits, please do so without delay. I alluded to a new power, which, I discovered, I called commission, in my Despatch No 20 from Vicksburg, which if forwarded I did not receive.

This Government has, manifestly been disposed to delay the fixation of the boundary line, notwithstanding my note of the 6th of August to Mr Forsyth on the subject, and my repeated communications relative thereto; nor did he apprise me until just before my despatch No 29, that the time limited by a treaty with Mexico and the United States for that purpose, had expired; nor had he replied to my note on the subject up to that time. He then made a verbal statement saying, that the treaty on the subject was at an end, and must be renewed, with Texas, before Commissions for that purpose could act.

I was gratified to receive, through you, instructions from the President, to abstain from further intimation of a solicitude on the part of my Government for a renewation. Since Mr Forsyth's note declining a negotiation on the subject, I have in every conversation with him touching it observed the greatest reserve and delicacy, and nothing would have induced a renewal of the subject but positive instructions from my Government in that behalf.

I am glad to learn that our Indian relations on the frontier are assuming a more amicable shape, and I cordially hope will long continue.

I am equally so to know that the Republic is in other respects prosperous and happy, and we may unite in our gratulations that amidst all our vicissitudes, a kindred spirit pervades our infant Republic, and that that is the spirit of Liberty.

I have the honor to remain with the greatest respect Your
Obedient Servant
Memucan Hunt.

To the Honorable
R. A Irion. Secretary of State.

P. S. The Secretary of the Legation, who is absent, and will continue so for a few days, is in excellent health

M. H.

Texian Legation, Washington City
19th February 1838.

Sandy Harris. Sir. I have the honor to inform you that Sandy Harris Esqr. has been added to this Legation as my Private Secretary

I have the honor to renew, with distinguished consideration my regard.
Memucan Hunt.

To the Honorable John Forsyth
Secretary of State of the United States.

Department of State, Washington
19th February 1838.

Sir, I have had the honor to receive your note of this date, stating that Sandy Harris Esqr. had been attached to the Legation of Texas as your private Secretary.

I have the Honor to offer you renewed assurances of my high consideration
(Signed) John Forsyth

To the honorable [illegible] Hunt

Department of State.
Washington, 21st February 1838

Sir

Mr Forsyth to Mr Hunt, Circular.

I have the honor to communicate a copy of a circular from the First Comptroller of the Treasury of the United States, addressed to the officers of the Customs, instructing them to give to the vessels and productions of Texas the benefits of the fifth and sixth articles of the treaty between the United States and Mexico. As those articles will go into operation on the fifth of April next, I have the honor to request that you will forward the enclosed Circular so that it may reach your Government before that time.

I embrace this opportunity to offer you renewed assurances of My great Consideration.

(Signed) John Forsyth.

To the Honorable, Memucan Hunt. &c. &c. &c.

Circular, to the Collectors, Naval Officers and Surveyors.

Treasury Department.
First Comptrollers Office, Febry 17th 1838.

Sir

Circular of Treasury Dept to U. States.

Referring to the circular from this Office, of the 2d instant, I have to communicate for your Government that, by information received from the Department of State, it appears the fifth and sixth articles of the treaty with Mexico are held to be obligatory on the Republic of Texas. It results, therefore that the vessels and productions of the latter, being placed on equal footing in carrying on its commercial intercourse with the United States, are to be treated with reciprocal favor, and enjoy the like privileges and exemptions that are extended to the vessels and productions of Mexico.

Accompanying this, you will receive for the use of your Office, a set of laws enacted at the first session of the twenty fifth Congress.

Specific and explanatory instructions having been issued almost simultaneously with their enactment in respect to such of those laws as were more directly connected with the revenue system, and to which your instant attention was necessary, I have only at this time to enjoin their due observance.

I deem it proper, however, to call your pointed attention to the following proclamations of the President of the United States.

First, Proclamation, dated 24th June 1837 respecting the dominions and dependencies of the Sultan of Muscat.

Second, Proclamation, dated the 24th of June 1837, respecting the dominions of the King of Siam

Third Proclamation, dated the 11th of June 1837 declaring that the tonnage duty on the vessels of the Kingdom of Greece and thenceforward to cease to be levied in the Ports of the United States.

Fourth, Proclamation, dated the 11th of October, 1837, declaring that in fact, that the duties payable by the vessels of the Kingdom of Portugal, prior to the 25th May 1832 are from that day to be levied and exacted.

The object of these Proclamations appear to be so obvious as to require no particular explanation.

I am, Sir, very respectfully Your Obdt Servant.
George Wolf, Comptroller.

(Signed)

Texian Legation, Washington

Sir, I

of the 21st instant enclosing a copy of a Circular of the First Comptroller of the Treasury of the United States, addressed to officers of the Customs, instructing them to give to the Vessels and productions of the Republic of Texas the benefits of the fifth and sixth articles of the treaty between the United States and Mexico, with a request that I communicate the same to my Government, which it affords me great satisfaction to do.

I take this opportunity to renew you additional assurances of my distinguished consideration

Memucan Hunt.

To the honorable John Forsyth
Secretary of State of the United States.

Hunt to Forsyth Treasury Circular

Despatch No 6.

Legation of Texas.
London March 8. 1838.

J. P. Henderson to R. A. Irion, Concerning the Eliza Russell &c.

To the Hon.l R. A. Irion
Secretary of State.
Sir.

Since I had the honor of forwarding to your Despatch No 5. I have received from Lord Palmerston, Her Majesty's principal Secretary of State for Foreign Affairs the following communication and documents, evidencing the claim of Captain Russell against the Government of Texas for the detention of the Schooner called the Eliza Russell.

Foreign Office February 19. 1838.

Sir, With reference to the letter which you addressed to me on the 26th of October last, and to the answer which I had the honor to return thereto, relative to the wrongful seizure and detention of an English Vessel called the Eliza Russell by a vessel under the Flag of Texas; I beg leave to transmit to you herewith a Copy of a Despatch from Her Majesty's Consul at the Havannah, enclosing extracts from the Protest of Joseph Russell, Master of the English Vessel above mentioned, together with an account of the damages sustained by reason of the seizure in question, and for which, compensation is claimed from the Authorities of Texas. Although these documents have doubtless already been brought under the consideration of the Texian Authorities by the Parties interested; I nevertheless transmit them to you, in confident expectation that you will exert your influence to expedite the redress to which the parties are entitled, should those claims not have been already satisfactorily adjusted agreeably to the intimation conveyed in your letter of 26th of October.

I have the Honor to be Sir, Your most obedient, humble Servant
(Signed) Palmerston

Lord Palmerston to J. P. H. relating to Brig Eliza Russell.

General Pinckney Henderson.

British Consulate
Havanna 20th Decr 1837.

Copy No 15.

My Lord

Enclosed I have the honor to wait on your Lordship with extracts from the protest of Joseph Russell, Master of the Schooner Eliza Russell of Alloa, made before me, describing the circumstances of the capture of his Vessel by two Cruizers under the Texian Colors, and of her subsequent release. The original documents have been sent to the Masters Agent at New Orleans, accompanyed by a letter from one to Mr. Crawford, H. B.M. Consul there, requesting him to aid in pro[cu]ring Mr Russell indemnification for the unjust detention of his Schooner,

W. Palmerston and Palmerston relating to Russell.

and as Governor Houston has in a letter of which a copy is annexed to the Protest, expressed regret that the Executive of the so called Republic of Texas has not the power to authorize payment thereof, and declares that "the subject shall be submitted to Congress early at their next meeting in order that the necessary appropriation may be made," I trust Mr Russell will have no difficulty in recovering his claim. To make this measure, as well as to inform H. Ms. Govt of the particulars of this agression, are the motives which induce me to submit the papers to Your Lordship.

I have &c. (Signed) C. D. Colnett. Consul.

The Viscount Palmerston. G. C. B. &c. &c. &c.

Extract from the protest of Joseph Russell and the officers of the Schooner Eliza Russell of Allow made before H. Ms Consul at Havanna the 2d Dec 1837.

"That on the 23rd of August last on a voyage from Liverpool to Sisal, being in sight of the Alacranes, they were chased by a Schooner, but believing her to be a Texician, they continued their course; that perceiving at 7 in the Morning the vessel in chase had hoisted English Colors, they did the same and that in consequence of the former them discharging ball cartridge at them, they brought to; that the Schooner then sent to them a Boat with Six armed men and commenced Capt Russell on board of her, where he presented his register and other papers, and among the rest letters to his Consignee in Sisal D. Julian Gonzalez Gutierrez which were immediately opened by the Captain of the said Schooner, who being seen by them that the Cargo which the Eliza Russell brought from Liverpool was Mexican Property thought fit to detain her; that a prize crew were then sent on board, under the direction of which she was worked up to the Island and Anchored; that the Commander of the Capturing Schooner called the Invincible then expressed to Captain Russell to give up the Mexican Property on board his Vessel, as appears by Annex. No 1., which being refused, she was got under weigh by the said prize crew and navigated to Galveston, where she arrived on the 13th August; that there she was detained as prize till 29th August when Capt Russell received his clearance, as well as a letter from the Collector of the Customs containing an enclosure of which Nos 2 3 4 are certified copies; that tho' at the last mentioned date at liberty to proceed the weather did not permit him as is proved by the Collectors letter Annex. No 5. and that in fact it was not till the 28th of September that the vessel was able to get to sea when they proceeded towards Sisal". The losses on this Voyage are them specified.

Extracts of Protest of Capt J. Russell vs of the Brig R. Russell

"That on the 11th October, they arrived at their destination where they extended protest of which the Annex. No 6. is a copy". The Protest them goes on to state that not being able to repair and refit at Sisal they proceeded for this purpose to Havanna where they arrived on 28th October and after Quarantine were released on 3d November; that a Survey No 7. was made; and the master then under, No 8. presents an account for demurage and damages.

Of the Annexes.— No 1.

Is the copy of a letter dated 1st of August 1837 from Mr A. L. Thompson, stating himself to be the Commander of the Texian Schooner Invincible, calling on Captain Russel to deliver up certain Mexican property on board his Vessel.

Annexes to the above.

No 2. Is a Custom House clearance for the Eliza Russel for Sisal dated 29th August.

No 3. Is a letter from the Collector of the C. H. dated 29th August 1837. at Galveston to Capt. Russell, referring to the inclosed

No 4. Of

Treasury dated 30th

will inform him (Capt Russell) at the same time, that the President evinced not the slightest hesitation to release his Vessel after the case had been submitted to him, as the Capture was made contrary to the instructions from the Navy Department to the Commanding officer of the fleet. It is to be regretted that the Executive has not the power to authorize claims that may be made for detention of said Vessel, but you may assure the Captain that the subject shall be submitted to Congress early at their next meeting, in order that the necessary appropriations be made. I would therefore advise Captain Russell to make out his claim for demurrage, and leave it with some individual to be attended to."

No 5. Is a letter of the Collector of Galveston dated 21st Septr which goes to prove that the weather had been such as to prevent the Eliza Russell sailing up to that date.

No 6. Is the Protest made at Sisal dated 12th October, which corresponds with that made here.

No 7. Is a survey of the damages sustained on the Voyage from Galveston to Sisal, and

No 8. Is the following account of claims for damages and demurage.

Account of Claims for damages sustained by the British Schooner Eliza Russell, Joseph Russell Master occasioned by that Vessel having been seized by two Ships under the Texian Flag, and carried in to Galveston in Texas.

	£	s.	d.
Demurage from the 3d August 1837 at which date the schooner was seized till the 28th Sept[r] 1837 the day on which she was again able to leave Galveston 56 days at the rate of £10 pr day	560	"	"
Additional time over and above that of her detention, expended in consequence of her having been carried into Galveston, being the number of days she was on her Voyage from Galveston to Sisal 28th Sept to 11th Oct[r] 13 days at the rate of £10 pr day:	130	"	"
Protest at Sisal, and two certificates of the same $17. a 180	3	10	10
Additional time over and above, that of her Voyage from Sisal to Havanna having left the first Port on the 21st October and arrived in the Harbor of Havanna on the 26th Oct 1837, for the sole purpose of getting the Vessel repaired of the damages occasioned on her in consequence of the said detention, being six days at the rate of 10£ per day	60	"	"
Additional time over and above, that of her repairs having consumed, repairing the vessel on the 15th November last and concluded the same on the 14th ditto being 4 days at 10£ per day	40	"	"
Expenses for repairing the damages sustained on the Voyage from Galveston to Sisal as appears by the accts certified by the Agents for Lloyds $372.2pr a 17 per cent premium of Exchange	71	13	2
	£865	"	"

Capt Russell's Ofc for Damage & Demurage,

To Lord Palmerston's letter I communicated the following reply.

London, 166 Albany St Regents Park.
Feby 20. 1838.

My Lord,

The undersigned agent of the Republic of Texas has the honor to acknowledge the receipt of the letter addressed to him on the 19th Inst by the Right Hon[ble] Lord Viscount Palmerston Her Majesty's

J. P. H. to Lord Palmerston relative to Brig R. Russell.

principal Secretary of State for Foreign Affairs together with the documents accompanying the same, exhibiting the claim of Capt Russell for the detention of the Schooner Called the Eliza Russell by the Commander of the Invincible an armed Vessel of Texas. He has the honor to inform Lord Palmerston that he is in daily expectation of receiving from the Government of Texas, intelligence of the manner in which the claim of Capt Russell has been disposed of by Congress, to whom it was referred; he having therefore advised the President of Texas of the necessity of causing as speedy and final settlement of the claim, and instructing him further upon the subject. Nevertheless the undersigned will not fail to transmit to the Government of Texas, Lord Palmerstons letter, together with the documents accompanying it and again ask their advice upon the same.

The undersigned avails himself of this opportunity of renewing to Lord Palmerston the assurances of his high consideration

J. Pinckney Henderson.

The Rt Honble Viscount Palmerston.
&c. &c. Principal Secretary of State for Foreign Affairs.

J. P. H. to R. A. Irion relating to the Brig R. Russell. No.

I was not a little surprised after reading the above protest of Capt Russell that the British Government had countenanced a claim of one of their Citizens so unjust as the above against the Government of Texas, and had been acting in that case without instructions from the Government of Texas, I would have felt myself bound to have communicated to Lord Palmerston an answer very different from the above. But inasmuch as I was acting under the directions of higher authority in that case, I did not hesitate to pursue the course pointed out in my instructions which was your letter of 23d August last. You will observe that Capt Russell states in his protest, "that when the presentee his register and other papers, and among the rest, Letters to his Consignee in Sisal D. Julian Gonzalez Gutierrez which were immediately opened by the Captain of the said Schooner who having seen by them that the Cargo which the Eliza Russell brought from Liverpool was mexican property thought fit to detain her." This admission of Capt Russell makes it plain to my understanding that the officer in command of the Vessel of Texas had the right to detain Capt Russell's Vessel and carry her into a Texian Port for the purpose of having the enemy's property on board condemned and secured, for it is my understanding that there is no principle of national law better settled than this, that Enemys goods on board of a Neutral Vessel is lawful prize of war. Indeed there is no contrariety of decisions upon that point of national usage amongst the many cases which have been adjudicated. And whatever may be the abstract principle of National law upon that subject, it has been the constant and universal practice of Nations from the earliest times to Condemn as lawful prizes, enemies goods found on board of a Neutral Vessel. This practice has only been departed from in a few instances by Treaty Stipulations, which have formed as to many conventional law between the parties to such treaties. But England has in no instance within my recollection departed from National Usage in that respect in its strongest sense. Indeed some Nations have gone so far by Ordinance (France for example during the time of Louis the 14th) as to declare all the vessels found with the goods of an Enemy on board lawful Prizes of War for the Belligerent party Capturing has a right to carry the vessels Neutral in such a case, out of her course depends upon circumstances. In the above case Capt Russell by refusing to point out or give up the Mexican on board of his Vessel rendered it necessary for the Capt of the Texian Vessel to &c &c

she has no right to complain of that act."

I have deemed it proper to make the above statement of what I regard as the well established Law of Nations in order to justify in the eyes of the Government of Texas, the course which I thought it my duty to pursue in a personal conference which I had with Lord Palmerston on the 1st Instant. At the time alluded to I had called upon Lord Palmerston on other business, but embraced that occasion to call his attention to the above stated case of Capt Russell. I then stated to him that I had no doubt from your letter of the 23d August, together with the circumstance of the President having in his Annual Message called the attention of Congress to that subject; that full compensation had already been awarded to Capt Russell according to his claim; But that I felt myself bound in duty and candor to say to him that I could not see upon what ground the Govt of Texas had released the Eliza Russell without seizing and confiscating the Mexican Property on board, or why they had admitted Capt Russell's claim for detention, that I could only suppose it to have been done in the absence of the true history of the case, or in abundent caution on the part of the Government of Texas to avoid any dispute with the British Government. Lord Palmerston then said that he did not recollect the circumstances of the case. I repeated them to him, and called his attention particularly to the admission of Capt Russell that the property on board was Mexican, and at the same time observed that there was no principle of National Law better understood or more firmly settled than this — that Enemy's property on board of a Neutral Vessel is lawful prize of war, no more which had been more rigidly adhered to by the Government of Great Britain. To which he gave his entire consent, but at the same time observed (rather in the tone of enquiry) that he did not recollect the Law of Nations upon the point of the right of a Belligerent power to carry a Neutral Vessel laden with the goods of an enemy out of her course in order to possess themselves of the goods on board. I then observed in reply, that such a right resulted from the very nature of things, — that I understood the principle to be well settled that the Belligerent nation capturing in such a case had the right to do every thing necessary to be done in order to secure the property of an enemy on board of the Vessel of a Neutral, — that the only obligation which the party capturing was under in such a case, was to avoid putting the neutrals to any unnecessary trouble or inconvenience, and to discharge him as soon as they had secured the enemy's property, and that in the case in question Captain Russell could not rightfully complain, because he had by refusing to surrender the goods on board, rendered the course taken by the Officers of Texas necessary. This position Lord Palmerston did not deny. I then observed that what I had said in that case was not dictated by a supposition that the Government of Texas would retract what they had done in that matter, because I regarded the case as having been finally disposed of by them, but I deemed it to be my duty to say so much, in order that it might not be understood by the British Government that Texas had thereby waved her right to avail herself in future of the long and well established usage of Nations in such cases, and to prevent their action in that case from being regarded as a precedent binding upon Texas hereafter in like cases. You will observe, that the above protest of Capt Russell does not state whether the survey of the Eliza Russell and the estimate of the damage was made at Havanna or at Sisal by Officers of the Texan Government. If it was at the latter [illegible] then

surely no confidence ought to be reposed in the estimate, and if the Govt of Texas is determined to allow compensation to Capt. Russell, would it not be due to themselves to require some other measure of damages, in order to enable them to arrive at the amount due?...

If Congress has not already disposed of the above claim, I wish to be specially instructed as to the course I am to pursue. If they have sanctioned the claim and provided for its payment, it is equally necessary that I should be instructed in the matter

Your Obedient Servant
P. Pinckney Henderson

Despatch No 33.

Texian Legation,
Washington City 9th March 1838.

Sir

M. Hunt to R. A. Irion

Since writing you on the 3d instant, I have addressed Mr Forsyth a note, of which the foregoing (or following) is a copy, and which I lose no time in transmitting to you. I will forward the answer of the secretary to it without delay.

I have nothing of importance to communicate since my last, save the declaration to one of several members of Congress from the South that unless Texas is annexed to the United States, they are favorable to, and will advocate its annexation to the Slave holding States. And that they prefer a dissolution of the Union, and the acquisition of Texas, to their present position in the Union without her.

And intimations have been made to me within a few days, which may make it proper for me to return home, if I remain but a few days, during the approaching session of Congress. I will perhaps, write again shortly on this subject.

I have the honor to be your Obt Servant.
Memucan Hunt.

To the Hon.t R. A. Irion
Secretary of State

Texian Legation.
Washington City 8th March 1838.

Sir.

Mr Hunt to Mr Forsyth relating to Boundary

At our recent interview, you called my attention to the fact that, orders would be issued, under the authority of the Govt. of the United States, to the proper authorities in the State of Arkansas, to arrest such of the Citizens of the Republic of Texas, as should be found, at any time, surveying any portion of the territory, now claimed by both countries. And being desirous that nothing should pass unnoticed, which might tend, in any degree, to stay these peremptory proceedings. I have the honor to transmit herewith, a printed copy of the general land law of the Republic passed at the last session of Congress, to a part of the 39th section of which, I would most respectfully ask your particular attention.

I have the honor to renew the proffer of my distin
Consideration

To the Hon.t John Forsyth
Secr

Despatch No 33.

Legation Legation
Washington City 12th March 1838.

Sir,

I herewith, transmit a copy of Mr Forsyth's reply to my note of the 8th communicated in my despatch of the 9th inst, which I wish you to mark "Despatch No 32," as it was inadvertently neglected.

M. Hunt to R. A. Irion on various subject.

You will perceive that the tenor of this note is entirely amicable, and I most sincerely hope that nothing unpleasant, will result from the proceedings of the two Governments upon the question.

I alluded in my last, to the propriety and possibility of my returning home, if but for a short time, during the approaching session of Congress. This, however, I still decline for the present, unless my recent request to be recalled, be complied with in the mean time.

The object I then had in view, was to enable myself to express more at large and particularly, my opinions as to the delicate attitude of the United States, in reference to the question of annexation. This I will now endeavour to do in very few words.

It is decidedly my opinion, and that of many distinguished gentlemen from the Southern States, that unless Texas is annexed, this Union will, at no distant period, be dissolved, say a few years. This will be the result of an interference on the part of the Northern States with the institutions of Slavery in the South. Whereas, the annexation of Texas would give a preponderance in the Senate in favor of the South, and thereby, afford an ample security against the encroachments of the North, in the representative branch of the Government.

Annexation

But should annexation fail a similar security could be anticipated from no other source. The ratification by Texas, of a treaty between that country and Great Britain, would indefinitely postpone the question of annexation here, as the Constitution of the United States precludes the admission of a state, whose duties and foreign policy differ from the rest.

Domestic Slavery in the United States and Texas, must, from various circumstances, stand or fall together. The failure of annexation will hazzard an attack upon those institutions in civic warfare between the States holding, and those opposed; for the fanatical spirit of abolition is unquestionably on the increase and will so continue, in my humble judgement, unless annexation should ultimately prevail. Should this be the case, it would be so great a triumph as to check its progress, if not entirely, certainly to an extent that would cause the Slave holding States, as well as Texas, to feel a perfect security. Apart from this question there can be but one opinion as to the propriety of concluding treaties with Foreign Powers, at as early a day as practicable. But that institution should Texas remain alone, would make her the only sovereignty where Slavery is common throughout; and as such, would subject her to assault from every quarter. While on the other hand, an union with the United States, would secure at once the sympathies of the South upon that subject, and the friendship of the North from motives equally strong, those of permanent interest.

This must be my apology for recurring so often and so zealously to this subject

I have the honor to be your Obt Servant

Mexican Hunt

To The Honorable
R. A. Irion, Secretary of State

Department of State.
Washington, 9th March 1838.

Sir. I have the honor to acknowledge the receipt of your note of yesterdays date, transmitting a printed copy of the general Land-Law of Texas, passed at the last session of the Congress of that Republic, and calling my attention to a part of the 39th Section of the law with a desire that it might tend to stay proceedings under instructions of this Department, which you were informed would be given.

I have examined that section, which, if it was framed with a view to prevent collissions that might arise from the execution of the law in the disputed territory, seems to me not to be as definite on that subject as could have been wished. Its efficiency for that object will consequently depend upon the manner in which it may be executed, which, I trust, will be with a proper regard to the rights of the United States. In that case, so far as regards the operations of the Texian Land offices, the authorities in the State of Arkansas may not find it necessary to act under the instructions that have been given them from this Department.

I avail myself of this occasion to offer you renewed assurances of my distinguished Consideration

(Signed) John Forsyth.

To the Honorable
A. Memucan Hunt &c. &c.

Joseph M. Hunt
Receipt of Copy of Land Law &c.

Legation of the United States.
Houston March 23d 1838.

Sir I have the honor herewith to transmit you a copy of a circular, addressed by the Treasury Department of the United States to the Officers of the Customs notifying them of the approach of the period for the operation of the 6th & 7th articles of the treaty between the United States and Mexico, and instructing them to give the benefits of those articles to the Vessels and productions of the Republic of Texas. The equality and reciprocity they stipulate, it is expected, will be extended by this government to the Vessels and productions of the United States which may arrive in the ports of Texas after the 6th of April next.

I am, Sir, with great Consideration
Your Obt Servant.
Alcée La Branche.

To Hon. R. A. Irion
Secretary of State of the Republic of Texas.

A. La Branche
Treasury Circular of U.S.

Legation of the United States.
Houston 29th March 1838.

The Undersigned, Chargé de Affaires of the United States having been informed by the Secretary of State of this Republic, that his Excellency the President had waived upon further consideration, all objections to the claim of the Brig Pocket and would recommend the payment thereof to Congress, has the honor to request an interview with this honorable Secretary of State in order to bring the whole matter to a final adjustment.

The Undersigned
To the Honorable Mr

A. La Branche
relative to Brig Pocket.

respect

Alcée La Branche.

To the Honorable
R. A. Irion, Secretary of State
of the Republic of Texas.

Despatch No 7. Legation of Texas. London 12th Apl 38

To the Hond. R. A. Irion
Secretary of State.

Sir. I have heretofore informed you that since I was informed by Lord Palmerston that the British Government declined recognizing the Independence of Texas, on the ground that they were not entirely satisfied of Texas ability to maintain her declaration, and that they would take further time to consider the matter, I had laid before Her Majesty's Govmt a proposition to open a direct trade between Texas and Great Britain. The communication which I made to Lord Palmerston on that subject, together with his acknowledgement of the receipt of the same, I had the honor to forward to you in despatch No 5. After I received Lord Palmerstons letter acknowledging the receipt of my first communication upon this subject, and stating that the whole matter had been referred by him to the Lords Commissioners of Her Majesty's Treasury and to the Privy Council for the affairs of Trade, I waited for some weeks with the daily expectation that Lord Palmerston would inform me, according to his promise, of the disposition which these Departments of her Majesty's Govmt had made of the subject; and not having received any information from him on the subject, I called at the Foreign Office several times for the purpose of conferring with Lord Palmerston upon the subject, but each time found him too much engaged to give me an audience. On the 12th Feby I addressed him the following note.

I. P. H. to R. A. Irion relative to communications with Lord Palmerston concerning the recognition of Texas and Treaty of Commerce &c. &c.

London No 166 Albany Street Regents Park Feby 12 - '38

My Lord.

The undersigned agent of the Republic of Texas has called several times recently at the Foreign Office for the purpose of having an interview with the Rt Hon.ble Lord Viscount Palmerston, Her Majesty's principal Secretary of State for Foreign Affairs, but has found him absent or engaged in business. The undersigned has therefore to request Lord Palmerston to inform him at what time he can be honored with a conference.

I. P. H. to Lord Palmerston

The undersigned has the honor to assure Lord Palmerston of the continuence of his high regard and esteem.

To the Rt Hon.t Lord Vicount Palmerston. J. Pinckney Henderson.
Her Majestys Principal Secty of State for Foreign Affairs.

To which his Lordship made this reply.

"Lord Palmerston presents his compliments to Genl Pinckney Henderson, and will be glad to see him at this Office on Wednesday next the 14th Inst at 3 oclock."

Foreign Office. February 12th 1838

At the time appointed I repaired to the Foreign Office, where I had a conference with Lord Palmerston upon the subject, of which the following is the substance. Lord Palmerston informed me that he had received the report of the Lords Commissioners of the Treasury upon upon the subject of the proposed commercial arangement, which report he read to me. The substance of it was, that they saw no objection to the principle of the proposition which I as the agent of Texas had submitted, and they recommend to [illegible]

L. to R. A.

facilitate and extend the Commerce between the two Countries. Lord Palmerston then observed, that the principle of the measure proposed was settled by that report, and that it then only remained for the report of the Board of Trade upon the details in order to complete the arrangement. He observed at the same time that he expected very soon to receive the report of the Board of Trade, and that he would not fail to inform me of its import as soon as he received it. — At this stage of the affair, I had I thought good reason to flatter myself that the negotiation would produce a more favorable result than subsequent events show. — Between the date of the last mentioned interview and the 16th Ultimo, I held several conferences with Lord Palmerston upon this subject, who each time informed me that the Board of Trade had not made their report, and at length promised that he would call personally on the President of that Board and urge him to report forthwith. — Not having received any communication from Lord Palmerston on the 16th Ultimo, I again addressed him as follows.

London March 16th 1838

May Lord

The Undersigned agent of the Republic of Texas begs leave again to call the attention of the Rt Hon^ble Lord Viscount Palmerston, Her Majesty's principal Secty of State for Foreign Affairs to the communication which the undersigned has heretofore had the honor to make, upon the subject of opening a direct trade between Texas and Great Britain, and to remind Lord Palmerston that nearly three months have elapsed since the undersigned proposed that arrangement, to which he has as yet received no definite answer. — He begs leave also to remind Lord Palmerston of his promise made on the occasion of the interview with which the undersigned was honored on the 28th Ult. Viz, that Lord Palmerston would speak to the President of the Board of Trade on that day and request him to make his report as soon as possible. The undersigned has now the honor to ask Lord Palmerston to inform him of the result of Lord Palmerston's application to the President of the Board of Trade. If the Board of Trade have not yet made their report on this business, the undersigned begs Lord Palmerston to use his influence with that Hon^ble Body to cause them to report at the earliest time possible. — The undersigned notwithstanding the delay he has met with in this matter still hopes that the British Government will find it to their interest to realize his expectations upon this subject, and that the measure will derive additional grace from the frankness and promptitude with which Lord Palmerston will use his exertions with the Board of Trade to procure this report, and bring about a speedy and satisfactory arrangement of the whole subject. — If however the undersigned is destined to be disappointed in his expectations by a refusal on the part of Her Majesty's Govt to agree to the proposed arrangement, or if he is to experience such delay as will be tantamount to a refusal, by preventing his attention to duties which he has to discharge in another Country; then it is not less the duty of Her Majesty's Govt to give him an early, frank and definite answer to the application which he has on the part of his Govt thus to submit. —

S.P.H. to Lord Palmerston, concerning recognition & commerce & navigation

The Undersigned takes this occasion again to renew to Lord Palmerston the assurance of his high consideration.

S. Pinckney Henderson

To the Rt Hon^ble Lord Viscount Palmerston.
Her Majesty's principal Secretary of State for Foreign Affairs.

To the above letter, Lord Palmerston returned no answer, and on the 5th Instant I addressed him as follows

London April 5th 1838.

May Lord, The Undersigned agent of the Republic of Texas has the honor to inform the Rt Hon^ble Lord Viscount Palmerston, Her Majesty's principal Secretary of State for Foreign Affairs, that he has not received any answer since he had the

a proposition to enter into a Commercial Arrangement with Her Majesty's Government, and the silence with which Lord Palmerston has treated his communication of the 16th Ultimo upon that subject, has compelled him reluctantly to conclude that it would be useless for him to remain longer in England with the expectation of being able to complete the proposed arrangement. He has therefore fixed upon an early day in next week to leave London, and he has now to request Lord Palmerston to inform him at what hour he can be honored with an interview.

The Undersigned avails himself of the occasion to renew to Lord Palmerston the assurance of his highest Consideration

H. Pinckney Henderson.

The Rt Honble Lord Viscount Palmerston
Her Majesty's Principal Secty of State for Foreign Affrs

Which letter drew forth the following reply.

Foreign Office April 6th 1838.

Sir

In my letter of the 23d January last, I had the honor to inform you that I had referred to the Lords Commissioners of Her Majesty's Treasury and to Her Majesty's Privy Council for affairs of Trade, your letter of the 29th of Decr containing a proposal for opening a direct commercial intercourse between Texas and Great Britain. Having received the answer of those Boards, I have now the honor to communicate to you the decision of Her Majesty's Government upon the subject of your proposal. — So long as Texas shall not be acknowledged by Her Majesty's Government as a separate and independent State, that country will be treated as a part of Mexico by the authorities of Great Britain as with reference to the observation of such British laws as relate to Trade and Navigation and to Diplomatic matters. Consequently no Texian Ship can still import Texian produce from Texas as heretofore, such ships and such produce being covered by the mere general character of Mexican; and under the same construction, the trade between Great Britain and Texas will also be continued under the scope of the stipulations of the treaty with Mexico. For this view of the case no difficulty will occur in the Ports of this Country so long as the National character of Texas remains unchanged by any formal act on the part of Great Britain, provided that the power of the Texian People or the Endeavours of the Mexican Govmt shall be such as practically to secure to the subjects and ships of Great Britain perfect freedom of intercourse with the Ports of Texas. Texian Ships and Cargoes therefore coming from Texas will be received in the Ports of Great Britain upon the same footing as British Ships, so long as British ships shall practically enjoy the same privileges in Texas; and this state of things will continue until some definite arrangement shall be made between Great Britain and Texas.

Palmerston to Henderson — the decision of Her Majesty's Govt relative to Treaty of Commerce.

I have the honor to be Your most obedient humble Servant Palmerston

General Pinckney Henderson &c &c &c

You will observe that the above communication is not a complete answer to the proposition contained in my letter to Lord Palmerston of the 29th Dec, inasmuch as no reference is made to the very material circumstance that Vessels here after coming from Texas will have papers from the Authorities of the Republic of Texas instead of Mexico. I therefore called on Lord Palmerston on the 9th Inst, and asked him to explain how far his communication was applicable to such a case. He said that he wished to be understood as having declared by his letter that Her Majesty's Govt would allow Vessels coming from Texas in the above manner, to be received in the Ports of Great Britain. The Govmt shut their eyes to

=stance of their having Texian papers. I then informed him that I would submit the enquiry in a more formal manner, which I hoped he would answer in writing, so as to prevent any future misunderstanding, to which he consented, and on the 10th I addressed him the following letter.

My Lord,

London April 10th 1838.

The Undersigned agent of the Republic of Texas has the honour to acknowledge the receipt of the letter of the Rt. Honble Lord Viscount Palmerston of the 6th Inst. communicating to him the decision of Her Majesty's Govt. upon the proposition which he had the honour to make on the part of the Govmt. of Texas on the 29th December last to open a direct trade between the Ports of Great Britain and Texas. By referring to the communication of the undersigned of the 29th Dec., Lord Palmerston will see that the undersigned therein proposed to Her Majesty's Government that all vessels coming from Texas sailing under the Texian Flag, and having clearances from a Custom house of the Republic of Texas should be admitted into the Ports of Great Britain &c. Lord Palmerston will also see by referring to his letter of the 6th Inst. to the undersigned, that no express answer is given to the above proposition,—that it is only stated therein in general terms, that until Texas is recognized as an independent nation by Her Majesty's Govmt., she will be treated as a part of Mexico, and that a Texian Ship coming from Texas with Texian goods on board will be received into the Ports of Great Britain under the scope of the stipulations of the Treaty between Great Britain and Mexico. When Lord Palmerston recollects that Texian Vessels hereafter coming from Texas to the Ports of Great Britain will have registers from the Authorities of the Republic of Texas and clearances from her Custom houses, he will readily see that difficulties might occur with Texian Vessels claiming to enter British Ports under these circumstances. Therefore to prevent any future misunderstanding upon this subject, the undersigned begs Lord Palmerston to inform him whether or not under the decision of her Majesty Govmt., as communicated to him by Lord Palmerston on the 6th Inst., he is to understand that vessels coming from Texas, with Texian Goods and with registers under the Authorities of the Republic of Texas and clearances from her Custom houses will be received in the Ports of Great Britain in the manner and upon the terms therein specified. The undersigned begs leave to remind Lord Palmerston that he leaves London on Friday Morning.

The Undersigned begs Lord Palmerston to accept of the assurance of his high consideration.

The Rt. Honble Lord Viscount Palmerston
Her Majesty's Principal Secty of State for Foreign Affrs

} J. Pinckney Henderson

To which he returned this Answer

Foreign Office April 11th 1838

Sir,

In reply to the enquiry contained in your letter of the 10th Inst. I have the honour to state in further explanation of my letter of the 6th Inst, that as Texian Ships would be admissable into the Ports of Great Britain as a Mexican ship according to the stipulations of the Mexican Treaty, notwithstanding that the documents issued for the use of such ships should bear upon their face that they were the avowed acts of a Govmt. in Texas, assuming the style of a republic independent of Mexico. The view thus taken of this subject by Her Majesty's Govmt. so far as relates to the Commercial intercourse between Texas and Great Britain would be changed only in the following Cases,—namely—either if Mexico were to declare the Independence of Texas and thus to effect a formal separation between the two countries, with the consent of both; or if Great Britain were to acknowledge Texas as an independent state.— In either of these cases, the Commerce between G. B. and Texas could no longer be carried on under the

Palmerston to Henderson on subject of Treaty.

Texas and Great Britain.

I have the honor to be Sir Your most Obt. humble Servt.

Lord Pinckney (Confidential). Palmerston. //

which leaves no room for future misunderstanding upon the subject. I had hoped from Lord Palmerston and my own understanding of the nature of the instructions of the Lords Commissioners of Her Majesty's Treasury as reported to you heretofore, that I would have been able to have made a commercial arrangement with the British Government founded on the independent position of Texas and I still entertain the opinion that Texas is entitled to such an arrangement. The arrangement which I have made you will readily see, secures to Texas all the practical benefits of trade and intercourse with Great Britain in as extensive a sense as though England had recognized her independence. On the occasion of my last interview with Lord Palmerston I said to him, that inasmuch as I was going to leave England in a few days, I wished to inform me whether under all the circumstances it would be worth my time to return to England during the approaching summer or fall with the hope of procuring the recognition of the Independence of Texas, - that I was anxious to be informed upon that subject, in order that I might report to the Govt. of Texas upon the prospects, and ask their instructions to guide me in any future course, - that if I was informed that England would probably recognize even as early as 12 or 18 months, I had no doubt but that I would be instructed to await the expiration of that time; But if Her Majesty's Govt. had determined to delay the matter indefinitely, and there was no prospect of being recognized within that time, they might instruct me to return. He observed in reply that he could not answer me satisfactorily upon these points, as he would be speaking for the whole government, and that they had already informed me that they could not pledge themselves to that effect. I then rejoined that I did not ask him to give any pledge to do an act - that I only wished an intimation of the probable future course that the British Government was likely to pursue towards Texas - that I would not regard any thing which he might say on the subject as official, or binding upon the Govt. of England - that Texas would regard it as an especial favor, if they did not intend to recognize within a reasonable time to be candidly informed of the fact - that I wished to introduce Mr. McIntosh before I left, who would have charge of the business during my absence, if I could have any assurance which created a hope of success. He then said he would advise me to take a letter from himself to Earl Granville the British Minister in Paris, who would enable me at all times to learn the disposition of the British Government upon the point in question. This course I thought plainly indicated the disposition of the British Govt. and that it was resorted to as a polite and easy method of avoiding any further importunity on the subjects, and I consented to take that course. I leave England for Paris tomorrow.

Your Most Obed't. humble Servant

A. Pinckney Henderson.

Dispatch No 34. Texian Legation

Washington City 13th June 1838.

Sir

I have just received your letter of the 21st inst. accompanied by a full power from the President for various purposes. I communicated the fact to the Secretary of State of the United States immediately after their receipt, and am happy to inform you, that he

has been instructed by the President to open a negotiation with me immediately, for the renewal of an agreement to appoint commissioners and time and place for their meeting, to establish the boundary line permanently, between the two republics, in conformity with the treaty of the Spanish Government of 1819, and as renewed by the Government of Mexico in 1828. Mr Forsyth has received from his demand to establish the line the whole distance to the Pacific, and thinks it will be best for both parties to make it only so far as it is desired to be done by the Texian Government at this time. The Govmt of the United States, is very desirous I have no doubt, to procure the Bay of St Francisco on the Pacific, and I apprehended and have now additional evidence to convince me of the fact that, Mr Forsyth's apparently anxious desire to make the line the whole distance to the Pacific, was to procure from me the relinquishment of the claim of the Government of Texas, to the right of an extention of its boundary beyond what it was under the Mexican Government. And he expects, I immagine to be enabled to pass over this claim in the arrangements which we are now making to establish the boundary, in such a manner, as to leave an impression that the Government of Texas claimed its original boundary, only on its Northern and Eastern frontiers. But I will take care in the wording of an article on the subject, that this claim to additional territory, be not overlooked. As a separate Power, the splendid harbors on the South Sea or Pacific Ocean, will be indispensible for us; and apart from the great increase of territory by an extention of the line, the possession of the harbor of St Francisco alone is amply sufficient for any increased difficulties or expense should there be any in regard to a claim of territory to the Pacific, in a final treaty of peace with Mexico.

Mr Forsyth & Texas respecting the Boundary line question

My impression is, that, nothing short of coercion, will afford us peace with that Nation, and in the exercise of this measure to acquire it eventually, a claim to a large territory, will be as readily conceded to us, when they do so yield, as the former limits of Texas would be; and believing this, it is my duty as minister, to act accordingly, in my claim of territory for Texas, in the absence of instructions from my government on the subject.

In any intercourse on the subject of limits with Mr Forsyth, he mentioned, what you had written to me on the subject of, and relative to, the interchanges between the Chargé of the United States and yourself at Houston. I pondered matter over as well as I could, and summed the circumstance to an argument in favor of settling with as little delay as possible, the boundary question, which I insisted would terminate all causes for misconceptions and misapprehensions between the two Governments relative thereto, which he conceded, and as I have no doubt will prove to be the case.

Mr Forsyth mentioned to me on yesterday that he wished to see us this evening, on a short trip to Philadelphia; I expressed a disposition to go to New York for one day myself, and he proposed and we agreed to make the trip together, and complete verbally our negotiations during the progress of our travel, and that so soon as we should return, they should be finally agreed upon, and reduced to writing, and signed for the confirmation of the Senate, at the earliest date practicable. The exchange of ratifications will be made in Texas, and so soon as it occurs, and the fact can be communicated officially to this Government, a commissioner will be dispatched, for the purpose of exchanging with the terms of the treaty of limits with as little delay as pos-

Navigation, and of limits, and see them ratified in eight or ten days, when I will immediately proceed to Houston, at which time I will confer more fully with you on the above subjects in person, and all others connected with our foreign relations.

I have the honor to be with great regard your
Obedient Servant.
Memucan Hunt

To the Honorable R. A. Irion
Secretary of State

P.S. Insist that Congress do not adjourn until I arrive with the treaty, as it would very much delay the final adjustment of the Boundary, if it does.

Mo. Hunt

Texan Legation
Washington City 23d Apl 1838.

Deshalch No 35

Sir.

I, herewith, transmit a copy of the treaty of limits which I have effected with this Government. It would have been forwarded the day after it was signed, but for the delay in procuring a copy of a form of ratification. I objected to the power which it confers on the commissioners, and desired that a clause should be inserted, which would leave it discretionary with either government, to object to the agreement of the commissioners within three months or less, after they might fix and report the boundary line; but the President of the United States objected to any change in the terms of the original treaty, on the ground that, it would be necessary to make an entirely new treaty, should any portion of it be altered. I hope it may be satisfactory to the President and Senate.

M. Hunt relating to the treaty of Limits between the U. States & Texas.

I shall not be enabled to leave here in less than eight or ten days for Texas, when I will take with me the original treaty, and reach Houston with as little delay as practicable, in the mean time, should the Senate wish to adjourn before I reach there; the copy I herewith send, can be acted upon, and an order made by the Senate that the treaty be confirmed. I have procured and appended to this Despatch, the form of a copy of confirmation and ratification by the President and Senate of the United States.

I regret my detention with the original treaty; but the Government, not having provided me the necessary means to pay the expenses I have been at in residing here, compels me to appropriate the time thus delayed, in raising funds on my private account, to enable me to pay my debts and get home, I regret to have been compelled to give the cause of my detention, and it is not done in a spirit of complaint or dissatisfaction at not having been supplied with any pay as Minister, but to show the cause of my detention.

Cause of detention &c.

I will defer adding any thing at large on the subject of our relations with this Government, and our prospects of recognition in Great Britain and France, until I reach home.

I have the honor to be your Obdt Servant.
Memucan Hunt.

To the Honorable
R. A. Irion. Secretary of State.

Copy of the Treaty.

Convention between the United States of America and the Republic of Texas, for marking the boundary between them.

Whereas the treaty of limits made and concluded on the twelfth day of January in the year of our Lord one thousand eight hundred and twenty eight between the United States of America on the one part and the United Mexican States on the other is binding upon the Republic of Texas, the same having been entered into at a time when Texas formed a part of the said United Mexican States.

And whereas it is deemed proper and expedient in order to prevent future disputes and collisions between the United States and Texas in regard to the boundary between the two Countries as designated by the said Treaty that a portion of the same should be run and marked without unnecessary delay).

Treaty of Limits between the United States and Texas, for marking the boundary line.

The President of the United States has appointed John Forsyth their plenipotentiary, and the President of the Republic of Texas has appointed Memucan Hunt its plenipotentiary. And the said plenipotentiaries having exchanged their full powers, have agreed upon and concluded the following articles.

Articles, 1st. Each of the contracting parties shall appoint a commissioner and surveyor, who shall meet before the termination of twelve months from the exchange of the ratifications of this Convention at New Orleans and proceed to run and mark that portion of the said boundary which extends from the mouth of the Sabine where that river enters the Gulf of Mexico, to the Red River. They shall make out plans and keep journals of their proceedings, — and the result agreed upon by them shall be considered as part of this Convention and shall have the same force as if it were inserted therein. The two Governments will amicably agree respecting the necessary articles to be furnished to those persons and also as to their respective rents, should such be deemed necessary.

Articles, 2. And it is agreed that until this line shall be marked out as is provided for in the foregoing article, each of the contracting parties shall continue to exercise jurisdiction in all territory over which its jurisdiction has hitherto been exercised, and that the remaining portion of the boundary line shall be run and marked at such time hereafter as may suit the convenience of both the contracting parties, until which time each of the said parties shall exercise without the interference of the other within the territory of which the boundary shall not have been so marked and run, jurisdiction to the same extent to which it has heretofore usually been exercised —

Article, 3. The present Convention shall be ratified and the ratifications shall be exchanged at Washington within the term of six months from the date hereof, or sooner if possible.

In testimony whereof we the respective plenipotentiaries have signed the same and have hereunto affixed our respective seals. Done at Washington the twenty fifth day of April in the year of our Lord one thousand eight hundred and thirty eight, in the sixty second year of the Independence of the United States of America, and in the third of that of the Republic of Texas.

(Signed) (Seal) John Forsyth (Seal) Memucan Hunt

I Memucan Hunt, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Texas near the Government of the United States at Washington, do certify, that the foregoing is a true and correct copy of a treaty of limits made by John Forsyth, Secretary of State of the United States, and Myself, In testimony whereof, I [illegible] (Seal) unto affixed my name an

Form of ratification of a treaty with a Foreign Power.

Martin Van Buren, President of the United States of America. To all and singular who shall see these presents, Greeting.

Whereas a Convention for marking the boundary between the United States of America and the Republic of Texas was concluded and signed by their Plenipotentiaries in the City of Washington on the 25th day of April one thousand eight hundred and thirty eight, and the original of which is hereunto annexed: And Whereas the senate of the United States, by their Resolution of the..... day of..... one thousand eight hundred and thirty eight, two thirds of the Senators present concurring did advise and consent to the ratification of the said Convention.

Form of ratification of the Treaty of Limits and marking boundary line

Now, therefore I, Martin Van Buren, President of the United States of America, having seen and considered the said Convention, do, in pursuance of the aforesaid advice and consent of the Senate of the United States, by these presents accept ratify and confirm the said Convention and every article and clause thereof.

In faith whereof, I have caused the seal of the United States of America to be hereunto affixed. Given under my hand at the City of Washington this..... day of..... in the year of our Lord one thousand eight hundred and thirty eight, and of the Independence of the United States the.....

(Seal)

M. V. B.

By the President.

J. F.
Secty of State.

Despatch No 1.

Legation of Texas
Paris June 2d 1838.

To the Honorable
R. Anderson Secty of State.

Sir

I have the honor to inform you that I arrived in Paris from London about the 23d April last, and on the 28th addressed Count Molé the following note

Meurices Hotel. April 28th 1838.

Gene J. Pinckney Henderson has the honor to inform Count Molé that he is arrived in Paris with credentials from the Government of Texas to solicit the recognition of the Independence of that Republic; and will be glad to be informed at what time he can have the honor of paying his respects to His Excellency. He has also the honor of transmitting to Count Molé a copy of the Declaration of Independence of Texas together with her Constitution

Note. J. P. H. announcing his arrival at Paris to Count Molé

To Count Molé &c. &c. &c.

I concluded from all that I was able to learn from Gentlemen who I supposed knew pretty well the disposition of the French Government in regard to the affairs of Texas, that there was but little prospect of procuring her recognition at their hands unless their dificulties with Mexico should result so as to dispose them to that very desirable measure, and I concluded not to urge Count

J. P. H. to R. A. Irion Secty of State

"Note to answer very verbally to the Count the receipt of their official Despatches, relating the Blockade, and Warning thereon brought with accompanying to the Texian Affairs, and the Decree that the French Fleet were blockading the Ports of Mexico, & determined to carry that resolution into effect against any Vessels... Also requesting to Warrant Note the following Note:

"The Undersigned Agent of the Republic of Texas has leave to call the attention of His Excellency Count Molé, Minister of Foreign Affairs and President of the Council of the French Government to the communication which the Undersigned addressed to His Excellency on the 26th ult. announcing the arrival of the Commissioners appointed by the Government of Texas to the United States, to solicit the recognition of the Independence of that Republic by the Government of France, and requesting Count Molé to inform the undersigned at what time he could be received by His Excellency for the purpose of presenting to him the credentials of the Commissioners. The undersigned has the honor to inform His Excellency Count Molé that he has been informed by the 2nd note Agent of the Republic of Texas, to solicit the recognition of the Independence of that Republic by the Government of France, and requesting Count Molé to inform the undersigned at what time he could be received by His Excellency for the purpose of presenting to him the credentials of the Commissioners. The undersigned has the honor to inform His Excellency Count Molé that he has been informed by the 2nd note Agent of the Republic of Texas, to solicit the recognition of the Independence of that Republic by the Government of France, and requesting Count Molé to inform the undersigned at what time he could be received by His Excellency for the purpose of presenting to him the credentials of the Commissioners. The undersigned has the honor to inform His Excellency Count Molé that he has been informed by the 2nd note Agent of the Republic of Texas, to solicit the recognition of the Independence of that Republic by the Government of France, and requesting Count Molé to inform the undersigned at what time he could be received by His Excellency for the purpose of presenting to him the credentials of the Commissioners. The undersigned has the honor to inform His Excellency Count Molé that he has been informed by the 2nd note Agent of the Republic of Texas, to solicit the recognition of the Independence of that Republic by the Government of France, and requesting Count Molé to inform the undersigned at what time he could be received by His Excellency for the purpose of presenting to him the credentials of the Commissioners. The undersigned has the honor to inform His Excellency Count Molé that he has taken departments at No 51 Rue Caumartin St Augustin where any communications he may be honored with will reach him.

The undersigned avails himself of this occasion to renew his Excellency Count Molé of his very high regard and consideration

May 26th 1836. (signed) A. Pinckney Henderson.

To his Excellency Count Molé &c. &c. &c.

To which I received a reply of which the following is translation.

"The President of the Council and Minister of Foreign Affairs begs leave to inform Gent. Henderson that he will have the honor to receive him on Thursday the 31st May at 9 o'clock in the morning should that hour suit his convenience.

He takes this occasion to offer the assurance of his most distinguished Consideration.

29th May 1836"

At the time appointed in the above note, I attended at the Foreign Office and was politely received by the Count; when I tendered him the letter which I bear, accrediting me as the Agent of Texas he informed me that he could not formally receive me as the accredited agent of Texas — that such an act might be regarded as a partial recognition of her independence. I replied that I would not so regard it, but if he had any scruples upon that point, it would answer my purpose equally well if he would read the letter to satisfy himself officially, that what I requested was done by the authority of my Government, and then consent to hear what I had to say in favor of the claims of Texas to recognition &c. To which he gave his ready assent, - &c &c

he would very willingly hear all that I might have to say in Chatagan. I then observed that inasmuch as he did not speak English, nor myself French, it would be more convenient for him and myself if I submitted the statement in writing — to which he agreed. The interpreter who accompanied me did not speak French well enough to enable me to converse with the Count to my satisfaction, and therefore I deemed it best not to enter into a detail of the merits of the case. I then took leave of him and on the next day made him this communication

Paris June 1st 1838.

To His Excellency Count Molé.

The undersigned agent of the Republic of Texas in conformity with his instruction expressed to His Excellency Count Molé President of the Council and Minister of Foreign Affairs on the 31st Ultimo when he was honored by him with a personal conference, begs leave now to submit to him the reasons upon which Texas founds her claim to recognition by France as an Independent Nation; and in order to prove that Texas is an Independent 'de jure' as well as 'de facto' it will be necessary for the undersigned to go somewhat into a detail of the history of the settlement of that country by the present inhabitants, and the causes which compelled them to declare their Independence of the Mexican Govt, in doing which he will be as brief as possible. The undersigned is aware that the motives of the people of Texas in commencing their Opposition to the Government of Mexico in the year 1835, have been much misrepresented abroad, which circumstance he hopes will be a sufficient excuse for the length of this Communication

I & W to Count Molé showing the claims of Texas to be recognized as an Independent nation by France, with his views at large upon the subject &c. &c. &c.

The first settlement of Texas by the present Inhabitants was commenced by Stephen F. Austin in the year 1821 under a grant from the Crown of Spain to Mr. Stephen F. Austin.

At this time Texas was a wilderness inhabited only by Savage Indians, whose ferocity and warlike disposition had prevented the Spaniards from settling that Country. Owing to the great difficulties which the settlers were compelled to encounter on their first arrival, they made but little progress until Mexico revolted from the Crown of Spain. In the years 1823, 1824 & 1825, special Colonization laws were passed, inviting foreigners to emigrate to Texas. In the mean time the people of Mexico had declared themselves independent of the Government of Spain and established for themselves in 1824 a Republican form of Government. The Constitution which they adopted at that time was the result of the deliberations of a convention in which all the provinces of the republic of Mexico were represented, such as a seperate independent Sovereignty; the state of Coahuila and Texas, being among the number. That Constitution guaranties to each province a Republican form of Government according to the specifications therein contained; Each Province reserving to itself the right of seperate State Government, and of legislating upon all affairs of a local nature. That Compact gave to the Provinces of Coahuila and Texas, (which was then formed into one State) a specific political existence, and guarantied to them the well defined rights of self government. By that compact it was agreed that Texas should be seperated from Coahuila and form a distinct State with all the privileges that were guaranteed to each of the other States, as soon as she was possessed of the requisite number of Inhabitants. Texas consented to that connection with Coahuila upon the faith of this Guarantee. It was therefore a solemn

compact which entitles the State of Coahuila & Texas, nor the Federal Government of Mexico could justly change without the consent of the people of Texas. The undersigned deems it important also to remind his Excellency Count Molé that the compact so formed, guarantied that the constitution should not be altered, nor the rights of any of the contracting parties thereto abridged, except by the consent of three fourths of the States, and in the manner therein prescribed. That provision of the Constitution was repeatedly violated by the several political parties, after they had succeeded in elevating their leaders to the Presidency of the General Government; but the usurpers were on each occasion deposed, and the Constitution of 1824 restored to the States. On each of these occasions above alluded to, the people of Texas were arranged on the side of the constitutional party. In the year 1833 the people of Texas finding that she was possessed of the requisite number of inhabitants and the resources required by the compact, to entitle them to be admitted as a State separate from Coahuila to which she had been conditionally united as above stated, called a convention which declared that the time at which they were entitled to be organized as a separate State, had arrived. Accordingly a respectful petition addressed to the general Congress of Mexico was adopted, stating the fact and requesting the consent of the General Government to the Constitution for their State Government which they had agreed upon in Convention. This petition was not only neglected, but the Agent entrusted to advocate it, was imprisoned for no other reason than his insisting upon its ratification. This gross violation of the rights of the people of Texas was only met by mild and respectful remonstrances on their part, still hoping that their rights would be secured to them after some delay. But in that flattering hope they were destined to be disappointed, for in the year 1834, General Santa Anna the President of Mexico, who had deposed Gen.l Bustamente for overthrowing the Constitution of 1824 and establishing a Central Government, joined his former enemies, and in his turn became the Enemy of the liberties of Mexico, destroyed the Constitution of 1824 — and established once more a Central Military Government without the consent of the states as required by the Compact of 1824. By that act of usurpation, the Legislatures guarantied to the different States were destroyed. Against these revolutionary measures of Santa Anna who had usurped the Government of Mexico, the States of Puebla, Oaxaca, Mexico, Jalisco and other parts of the Nation resisted. The State of Zacatecas took up arms, but was soon conquered by the standing army of the usurper. The State of Coahuila and Texas through their Legislature remonstrated against the change of the form of Government and insisted on their rights to a State Legislature. For that assertion of their privileges, General Santa Anna caused Gen.l Cos to arrest with a military force, the Governor of Coahuila and Texas Don Augustin Viesca, the Secretary of State and several of the leading members of the Legislature of that state; and the rest of the Legislature were compelled by the Military orders of General Cos to abandon their deliberations. In the summer of that year (1835) the President of Mexico despatched Gen.l Cos to enforce his unconstitutional decrees. This violent abuse of their rights, together with the other causes herein before enumerated, aroused the people of Texas, and they took up arms in defence of their constitution. A consultation of the people of Texas was held in November of that year, in which they declared their intention of restoring and adhering to the Constitution of 1824, and called upon the rest of the people of Mexico to assist them in the struggle. This resistance had been anticipated by the usurper, and he was prepared with a strong army to defeat it. The great mass of the common people of the different States being ignorant, illiterate and degraded, scattered over a large territory, without organization and without means of defence, fell an easy prey to the ambition

a firm and well organized defence. General Cos who commanded the forces of Mexico sent to subdue Texas and Zacatecas, after conquering the latter, marched his Army into Texas, and took possession of the strong fortress of the Alamo near the Town of San Antonio de Bexar with 1300 Mexican soldiers; but the people of Texas nothing daunted by that bold act of coercion, attacked that officer in his fortification with only three hundred men, and after a severe struggle, General Cos surrendered his whole force to the Commander of the 300 Texians. The only object of the people of Texas at that time, being a restoration of their Constitution, Gen. Cos and his army were released upon the condition that he should not again oppose Texas in her efforts to accomplish that object. — Immediately after the intelligence of the surrender of General Cos reached the City of Mexico, the President General Santa Anna marched against Texas with 8000 of his best troops, Gen. Cos and his Army being amongst the number. The first point which they attacked was the Alamo, which Genl. Cos had surrendered and which was now garisoned by 186 Texians. This small number held out against the whole Mexican force of 8000 men for 13 days, and the post was finally carried with a loss on the part of the Mexicans of 1600 men. The Texian Garison all fell under the sword of the Mexicans. — Whether or not any part of them demanded quarters, not one survived to tell.

From there the Mexicans marched to Goliad, which place was abandoned on their approach by 300 Texians under the command of Col Fannin, who were overtaken a few leagues from the town; and after a severe and bloody battle fought in the open prairie without Artillery and without Cavalry on the part of the Texians against more than ten times their own number, who were supplied with every destructive means of war, they surrendered upon the condition that they should be discharged upon their parole of honor not to take up arms again during the war. That treaty of surrender was cruelly violated by the order of Gen. Santa Anna, who caused the whole force so surrendered to be marched out and shot five days after they fell into his power. — The people of Texas now discovered that it was the determination of the destroyer of their Liberties to carry his threat to exterminate them into execution; and being now satisfied that they could no longer hope for assistance from the other States of the Republic, determined to seperate themselves from all political connexion with their faithless and inefficient allies. — They accordingly elected Representatives in each district of their State, who assembled in the Town of Washington in Texas, and on the 2d March 1836 declared that inasmuch as the Compact entered into between themselves and the General Government of Mexico had been destroyed without their consent and without any other authority than the will of a Military despot; the people of Texas were and of right ought to be free and independent of Mexico. — A copy of this declaration, together with the Constitution adopted by Texas, the Undersigned has heretofore had the honor to transmit to Count Molé. — The above stated facts are now most respectfully submitted to his Majesty's Government for their candid consideration; and the Undersigned flatters himself they are sufficient to justify the people of Texas in taking the position which they now occupy.

The Undersigned is aware that by the wise policy of the best regulated Governments of the present enlightened age, when a people from any cause whatever revolutionize their form of Government and another Govmt to be recognized under their new organization, the only thing necessary to be considered is whether or not the Government so established is capable of maintaining

foregoing statement; but he prefers to submit the true history of the circumstances under which the Government of Texas now claims to be recognized.

In order to prove to His Majesty's Government that the people of Texas are capable of maintaining their present position against the efforts of Mexico to force them into submission, and to show the ability of the Government of Texas to discharge all the obligations of an Independent Nation, the undersigned begs leave to submit the following statement of facts. He begs His Excellency Count Molé to observe, that in all the above mentioned battles between the Texian and Mexican forces, the former proved themselves greatly superior in skill, courage, humanity and a rigid adherence to the established rules of civilized warfare. He will now return to the history of the invasion of Texas by Genl Santa Anna as it transpired after the Convention of the people of Texas declared their Independence of Mexico. After the cruel murder of the party who surrendered under Col Fannin as above related, the Mexican Army under the immediate command of Genl Santa Anna marched on through the centre of Texas, laying waste the whole country and putting to death every Citizen whom the fate of War placed in his power, until his advanced division 1700 in number was met on the plains of San Jacinto by the army of Texas then under the Command of General Houston to the number of 700. The Mexican Army was attacked in their temporary fortifications, between 800 & 900 were killed on the field of battle, the ballance together with the President and Commander in Chief fell into the hands of the Texians, with a loss on the part of the latter of only 7 killed and 22 wounded, which again proved their great superiority over their enemy. The rear division of the Mexican Army was then permitted to retreat without the limits of Texas under an express agreement on the part of the President Genl Santa Anna (then a prisoner in Texas) that Mexico would terminate the war and immediately recognize the Independence of Texas. Since that period Mexico has not dared to invade the Territory of Texas. They have not complied with the conditions of that agreement by recognizing Texas as an Independent Nation, but from that time may be dated the termination of the struggle for Independence in Texas. When the character of the people of Mexico is so well known — when it is remembered that her half civilized population are thinly scattered over an immense territory — that her history presents but one scene of revolution from the time she separated from the Crown of Spain to the present day — that their Government has at all times been alike faithless to their own citizens and to other engagements with foreign nations — their revenue exhausted and their credit abroad and at home destroyed — that the people of Texas have in every engagement proved their vast superiority in every particular which constitutes true soldiers — when it is seen that Texas has been and still is rapidly increasing in population and wealth, and that more than two years have expired since the last attempt was made by Mexico to invade Texas which is separated from her only by an imaginary line, the undersigned flatters himself that His Majesty's Government will not hesitate to conclude that Texas is able to maintain her independence against every effort of Mexico. And to prove to his Majesty's Government that Texas is capable of discharging every obligation of an Independent Government the undersigned begs leave to call their attention to the history of that Republic from the first commencement of her opposition to the usurpations of Santa Anna in 1835 to the present day. Immediately after the [illegible] tion of the Legislature of the State of Coahuila and Texas in 1835 a [illegible] onment of the Governor &c by the order of Genl Santa Anna as aforesaid, Representatives of the people of Texas met in Convention and established a form of [illegible] it

time the Government had been but imperfectly organized and still more imperfectly administered in Texas, owing to the continual internal dissensions which constantly agitated every part of the Republic of Mexico, together with the ignorance and want of common honesty in the Mexican Officers who were appointed to preside over the Courts of Justice. Notwithstanding this distructive state of affairs in Texas, as soon as the people of that country took the government into their own hands wise laws were provided and administered with the strictest justice and firmness and all things assumed a new and pleasing aspect. When the people found it necessary to seperate from Mexico in 1836, the same convention which made that declaration, agreed upon a constitution for the newly established Government and submitted it to the people for their ratification in September following. That convention also established a government ad interim and elected a President and other necessary officers to administer the affairs until the next ensuing December, when the Constitution if ratified by the people was to go into effect. In September the proposed Constitution was unanimously adopted, under which a President Vice President and Members of Congress were elected, and the Govmt. went into operation under the present Constitution in December of that year. The first Congress under the Constitution passed all necessary laws for the Government of the Country, reorganized the Courts of Justice according to the requisitions of the Constitution, levied the proper and necessary taxes, and provided for the defence of the Country. Since that time the Congress of the Republic have had three sessions, constantly guarding the interests of the Country by additional laws and remedying such as were found by experience to be defective. Every department of the Government being completely organized, the whole country presents a scene of prosperity and harmony unparalelled in any other Country under similar circumstances.— Population and wealth are flowing into the Country from all parts of the United States, invited by the richest lands and most delightful climate in the world. Texas possesses a territory of 250 Millions of acres of land, only 30 Millions of which have been disposed of to individuals previous and since the commencement of the Revolution. The balance belongs to the Government, and will yield a large and certain revenue to the Treasury. Moderate duties have been imposed upon goods imported from foreign Countries, and a levy of a direct tax made upon real estate which affords the most abundant revenue which will be sufficient during the present year (according to the report of the Secretary of the Treasury, estimating it only at the same as last year) to pay the whole of the public debt contracted during the war together with the sum necessary for the civil government of the Country. After the present year Texas will have a large surplus revenue to apply to the internal improvement of the Country.—

The Undersigned with all due deference to His Majesty's Govmt. beg leave to call His attention to some of the many advantages which he is convinced would result both to France and Texas by a Treaty of Amity and Commerce between them. Texas has within her limits more land well adapted to the culture of Cotton, than is to be found in the whole United States.— This land being richer and in a better latitude will produce on an average one third more cotton than lands of the United States.— The Cotton being of finer quality is better suited to the French Market than any other.— The Country is being rapidly settled by rich planters from the United States. Cotton must be their staple article.— They cannot find a market for it in the United States, by reason of a very high duty imposed in that country on all foreign Cottons. They must then seek a market in Europe. The rice, indigo,

never become a manufacturing Country— The people therefore must receive from other Countries in return for her raw Materials, all kinds of Manufactured articles. Ours can supply them cheaper than any other country with all kinds of silks, wines fine cotton goods, together with many other articles of Commerce, all of which she will admit into her ports on the most favorable terms. It is important also to be observed that Texas affords a greater quantity of the best live oak than any other country known to civilized Nations; and as she can never be extensively a commercial country, that valuable article for ship building will be at the command of other nations at a cheap rate.

The people of Texas immediately after their separation from Mexico and at a time when they feared they might be engaged in a long war, in order to secure a speedy peace and restore immediate quietness to the country, resolved to make application for admission into the Government of the United States. Founded upon that resolution and under the instructions of the President, the Ministers of Texas at Washington made application to the Govmt of the United States for annexation, which was not consented to. Since that resolution was adopted, the people of Texas have become satisfied that the war with Mexico is never to terminate— that they are entirely secure and rapidly prospering under their separate government that they, not being a manufacturing but a planting people would be oppressed by the protective tariffs of the United States if admitted as a state of that Republic— They have therefore determined to remain separate and to govern their own affairs, offering to all other Countries equal advantages in her Markets— The United States after a careful examination of all her claims to Independence, and with a perfect knowledge of her former Resources &c. in March 1837 formally acknowledged Texas as an independent nation received her Minister at Washington and appointed a Representative who now resides near the Government of Texas.

The undersigned hopes that this frank and explicit exposition of historical facts of general notoriety will satisfy your Excellency that the new Republic of Texas has established her Independence upon a basis which cannot be shaken, and that she has the power character, courage and force to maintain her position as an Independent nation. It cannot be expected that other powers whose commercial interests and political obligations may be involved will wait for the action of Mexico on this subject. That Government was itself a revolted Colony and was not recognized by Spain as an Independent nation until two years ago, long after the other powers had acted upon the question— The undersigned takes leave to say that the course of Texas is precisely that (in a more humble, but not less decisive character) of the glorious revolution achieved by this Great Country, which elevated his present Majesty to the throne which he now occupies and adorns. The Revolution of July was one of Constitutional freedom, and the gallant and noble example of France has been followed by Texas in resisting oppression and consecrating the principle, that every people have a right to decide for themselves when their fundamental laws are violated and their liberties invaded. France stands in such a commanding position before the world, that no one has dared to question her right, and the undersigned hopes that the spirit which prompted her own glorious revolution will induce His Majesty's Govmt to take the initiative in the recognition of a Republic desirous of forming political Commercial relations with this great and free Nation.

The Undersigned has the honor to assure Your Excellency of his distinguished consideration.

(Signed) S. Pinckney Rhett

You will observe that I have made no allusion in the communication to slavery in Texas, deeming it most prudent to leave touched until Count Molé mentions it in his conversation as above.

upon the result of the Blockade which this Govmt has proclaimed against Mexico.— If Mexico still refuses to satisfy the demands of France and an absolute war should be the consequence, then I think my chances of success is pretty good. But should the difficulty be speedily settled, I cannot hope to succeed. I in any event expect considerable delay, unless Count Molé is more prompt with me than he is with every other Foreign Minister. I have learned from high authority within the last few days that there will be a change of Ministry here; if that takes place and the new Cabinet should be very popular they may be able to take a more favorable and independent course towards Texas (if they are so disposed) than the present Ministry dare do. Should my application be rejected, I will then propose a commercial arrangement between Texas and France. I will in the mean time keep you constantly informed of my proceedings at this Court.

I have the honor to remain your Most Obdt Humble Servt

J. Pinckney Henderson

Vicksburg Mississippi
5th June 1838.

Memucan Hunt, the late Minister of the Republic of Texas near the Government of the United States at Washington, has had the honor to receive through the Secretary of State in his note of the 18th of May, the reprimand and censure of his Excellency the President of Texas for visiting this place more than twelve months since, (which he for the first time has learned gave displeasure) to procure the necessary means to enable him to defray his expenses as such, the government not having provided him any for the purpose; and, to receive the expression of his Excellency's surprise at Mr Hunts determination to return immediately, as expressed in his despatch from Washington of the 13th of April, notwithstanding repeated notifications of Mr Hunt to the Secretary of State of his wish to do so, he having accomplished on the 13th of April, every measure connected with his Mission, save that of ratification, which it is impossible to negotiate successfully at this time, and there having been nothing new, even up to this moment, suggested by the Secretary of State requiring Mr Hunts presence at Washington; and also, the peremptory orders of his Excellency the President to return to Washington immediately, should Mr Hunt have left that place, and await the Presidents special permission to depart: And likewise, the lecture of the Secretary of State on the subject of Mr Hunts official demeanor as an officer of Government. All of which, Mr Hunt asks leave to reply to officially, by tendering unconditionally his resignation of the office of envoy Extraordinary and Minister Plenipotentiary of the Republic of Texas, at the said place and near the said Government; and which he declines positively, but at the same time politely, the duties of, however under the present Executive.

Mr Hunt has with him the Original Treaty of limits made agreeable to instructions with the Secretary of State of the United States, a copy of which he forwarded to the Secretary of state some weeks since, which original treaty he will bear to the Secretary of State of Texas in the Steam packet which leaves New Orleans on the 15th instant.

To.
The Secretary of State
of the Republic of Texas.

Mr. Hunt's resignation as Minister to United States.

Original Treaty.

Despatch No 36

Texian Legation
Washington City June 22d 39

Sir,

I have the honor to acknowledge the receipt of your despatches of date 18th and 19th ultimo, addressed to Genl Hunt, together with the convention of indemnity to american citizens for losses sustained by the Brigs Pocket and Durango.

Pocket & Durango

I have had several interviews with the Secretary of State on the subject of the treaty of indemnity, and although he evinced a disposition from the first to accept it and have it ratified on the part of the United States, he seemed to be in much doubt as to whether it could be received, on account of its not having been ratified by the President under the great seal of the Republic of Texas: both of which were indispensable to the full and formal completion of the treaty and were of course necessary, before the ratifications could be regularly exchanged. Another difficulty in the way of the exchange of the ratifications was my having no specific powers for the purposes.

Indemnity for the Brig Pocket and Durango &c

For consideration however of the smallness of the amount involved and the unimportance of the transaction, (there being no danger of the act being hereafter disavowed on the part of Texas) he yesterday agreed to waive these objections and accept the treaty as it now stands. He told me that he would have the necessary papers prepared and send for me when they were ready. So that in the course of a day or two, I expect to have the pleasure of notifying you of the satisfactory settlement of this matter.

I have the pleasure to inform you that Mr Forsyth has authorized me to say that no objection would be made to the negotiation of a treaty of Amity &c at Houston instead of this City, if the former place were preferred by the Government of Texas, and that proper instructions to that end would be forwarded to Mr Labranche in case of the treaty with Mexico being objected to on the part of Texas, and a new treaty being desired. He appeared to be under an impression from information he had received from Mr Labranche, that Texas was unwilling to admit that the old treaty was binding upon her, he said he had written to Mr Labranche for the purpose of being more definitively informed upon this heads.

Of Amity &c.)

In a few days I shall be able to give you some definite intelligence as to the action of Congress upon the subject of annexation. Mr Preston's resolutions have been laid upon the table in the Senate by a vote of 28 to 14. In the House the whole subject was originally referred to the Committee on Foreign relations, together with sundry petitions and resolutions relating thereto, and that committee have lately reported that there was no proposition before the House for the annexation of Texas, and on that ground asked leave to be discharged from the further consideration of the subject. Whereupon Mr Cushing of Massachusetts moved a recommitment, to which Mr Adams moved an amendment, that it be recommitted with instructions to report that any attempt by act of Congress or by treaty to annex the Republic of Texas to this Union would be a usurpation of power, unlawful and void, and which it would be the right and duty of the free people of the Union to resist and annul. This amendment is now before the house and Mr Adams has been occupying the morning hour upon it for several days. But I have no doubt it will be defeated and cut off by the force of the previous question and that the report of the committee will be sustained. Upon this subject however I will be able to write to you explicitely and in full in the course of a few days.

of Annexation

The following is a copy of an official letter of the Secretary of the President of the United States in answer to a call of the House of Mr Adams &c

To the President of the United States.

The Secretary of State, to whom was referred the resolution of the House of Representatives of the 28th Inst. requesting the President to communicate to that House if not incompatable with the public interests, any correspondence, not heretofore communicated between this Govmt. and that of the Republic of Texas, and also with the governments of any other country relating to the annexation of the said Republic of Texas to the United States; and to inform the house whether the application of the said Government of Texas to the United States for admission into this Union, has been withdrawn, has the honor to report to the President, that all the correspondence between this Govmt and that of Texas, respecting the annexation of that Republic to the United States has been already communicated to the House of Representatives, and that the proposition of annexation, made by the Texian Government, having been disposed of in that correspondence, has not been since deemed within the control of the United States.

No correspondence upon the subject of such annexation has taken place between this Government and that of any other country.

All which is respectfully submitted

John Forsyth.

June 28th. Result of U.S. meaning annexation.

Of Annexation

(You will perceive from this letter that no proposition for the annexation of Texas as coming from Texas is regarded as now pending before the Executive Department; and should the Report of the committee on foreign relations be sustained, of which I have no doubt, the House will have declared that there is no proposition of the kind at present pending before it: and the question in the Senate having been laid on the table, is it not clear that the matter at the adjournment of Congress will be in its original condition, entirely open and untrammelled, and in such a condition that negotiations may be either commenced de novo on the part of Texas, or dropped altogether and forever without the slightest necessity of her saying another word upon the subject; and the whole matter suffered to sleep until the United States think proper to come forward and make the proposition themselves? It would then be for Texas to say whether she would accept or not.

According to present appearances Congress will adjourn on the ninth of July.

I have the Honor to remain your
Obdient. Servant
Fairfax Catlett.

Honorable R. A. Irion
Secretary of State

City of Houston 28th June 1838

Sir,

In an interview I had the honor to have with the President yesterday, his Excellency informed me of his intended departure on the 2nd of July on a tour through various Indian tribes, and that he would be absent several months. As there are no matters now pending between the two Governments and believing that during his absence nothing of importance can be done, I have the honor to apprise you of my intention to leave the seat of Government for a visit to Louisiana. Should any business present itself during that interval I shall be ready to retain immediately to the City of Houston.

La Branch time to his return to W.

With the highest regard
your most Obt. Servant
Alcée La Branch.

Hon. R. A. Irion
Secretary of State

Despatch No 37.

Texian Legation
Washington July 7th 1838.

Sir.

Mr Catlett to R. Addington relative to convention and exchange of Pocket and Durango &c.

I have the honor to inform you that the ratifications of the convention between Texas and the United States, relative to the claims in the cases of the Brig Pocket and Durango, have been regularly exchanged. The following is a copy of the certificate of exchange.

"Mr Chargé Catlett, Chargé de Affaires of the Republic of Texas accredited to the Government of the United States of America, and John Forsyth, Secretary of State of the said United States, certify that the Ratifications of the Convention between the Government of the United States of America, and the Government of the Republic of Texas to terminate the

ratification exchanged

reclamations of the former Government for the Capture, seizure and detention of the Brig Pocket and Durango, and for injuries suffered by American citizens on board the Packets signed at Houston on the eleventh day of April one thousand eight hundred and thirty eight, have this day, with all due solemnities and after due comparison each with the other and both with the original example of said Convention, been exchanged by us.

In testimony whereof, we have signed this act, in duplicate, and have sealed the same with our respective seals at Washington, this sixth day of July in the year of our Lord one thousand eight hundred and thirty eight."

(Seal) Chas Catlett.
(Seal) John Forsyth.

In exchange for the copy of the convention which I place in his hands, being the same as was transmitted by you, Mr Forsyth gave me a formally ratified copy on the part of the United States: this copy being handsomely bound in black Velvet, and having the great seal of the United States suspended from it with large tassels, and the whole when enclosed in its case presenting the form and appearance of a splendidly bound folio Volume. A similar ceremonial was expected to have been observed on the part of Texas, but this being impracticable under the circumstances, she had agreed to waive any difficulties on this score as I mentioned in my last despatch.

reception of the Treaty and Exchange

The ratification of the President is couched in the following terms.

Martin Van Buren
President of the United States of America.
Greeting,

To all and singular who shall see these presents.

Whereas a convention between the Government of the United States of America, and the Government of the Republic of Texas, to terminate the reclamations of the former Government for the capture, seizure and detention of the Brig Pocket and Durango, and for injuries suffered by American Citizens on board the Packets, was concluded and signed by Alcée La Branche, Chargé d'Affaires of the United States, and R. A. Irion, Secretary of State of Texas in the city of Houston on the eleventh day of April one thousand eight hundred and thirty eight which Convention is word for word as follows. + + +

of the Senate of the United States, by these presents accept, ratify, and confirm the said Convention and every article and clause thereof.

In faith whereof, I have caused the Seal of the United States to be hereunto affixed. Given under my hand at the City of Washington this 21st Day of June in the year of our Lord one thousand eight hundred and thirty eight, and of the Independence of the United States the sixty second.

M. Van Buren

By the President

John Forsyth, Secretary of State. "

"

I shall send you the treaty by the first safe opportunity which presents itself.

Very truly and respectfully Your Obdt. Servant

Fairfax Catlett.

Hon. R. Addison

Secretary of State.

Despatch No 38

Texas Legation

Washington City July 12.th 1838.

Sir,

Congress adjourned on the ninth instant, without having come to any definitive action upon the question of the annexation of Texas.

Catlett relative to Annexation

I stated in my despatch, No 36, that the whole subject had been laid on the table in the Senate, and that I thought it more than probable that it would be disposed of in the same manner in the House, particularly as such a course had been recommended by the committee of Foreign Relations, as you will perceive on reading their report of which the following is a literal Copy.

"Mr Dromgoole, from the committee on Foreign Relations, made the following report: which was read.

The Committee on Foreign affairs to whom was referred sundry executive communications, and resolutions of State Legislatures together with numerous petitions and Memorials, relating to the annexation of Texas to the United States, presented at the last and present Session of Congress, report;

Report of Comt. Foreign affrs. relative to above

That there is no proposition, pending in this house either for the admission of the Republic of Texas, as a state into the Union, or for its territorial annexation to the United States.

The Committee do not deem it advisable to recommend any action on the part of the House of Representatives, calculated to prejudge any such proposition, should it hereafter be formally submitted for decision, or to forestall public sentiment in relation thereto. In consideration where of, the following resolution is reported.

Resolved. That the committee on foreign affairs be discharged from the further consideration of the whole subject, and that all the papers relating thereto, and to them referred, be laid on the table."

It is still my opinion that this report would have been sustained by a large Majority in the House but for the unexpected course of Mr Adams.

This gentleman as I have already had occasion to inform

[illegible] the floor, about three week before the adjournment of Congress,

[illegible] with instructions to report adversely; and

being by a rule of the House, confined to the first hour of each morning, he was enabled to protract his remarks to the close of the session, and thereby defeat any definitive action. The report of the committee therefore, as well as all incidental questions, will pass over as the unfinished business, and will as a matter of course, claim the attention of Congress at the next session if not otherwise disposed of in the meantime.

Mr. Adams, in the course of his remarks, frequently designates the question of annexation as an ultra administration measure, and as you will doubtless see in his published speech, (a copy of which will be sent to you as soon as it appears in pamphlet form,) he labored unremittingly to prove that the present relative positions of Texas, Mexico and the United States were all brought about by the connivance of this Government and its deep duplicity towards Mexico.

The report of the committee, asking to be discharged from the further consideration of the subject for the reasons heretofore stated would if it had met with the quiet approbation of the House, certainly have left the whole matter in the most favorable attitude in which it could have been placed at this time and under the existing organization of parties, and such I have no doubt was the wish and intention of the committee. Such a result would have been at worst equivocal, while I am fully assured, that any direct action upon the question of annexation would have been conclusively against Texas in all its bearings. as it is the whole subject remains suspended until the next session.

In relation to your instructions to General Hunt to withdraw the proposition for the annexation of Texas to the United States, in case of no definitive action being had upon the subject during the late session of Congress (which instructions arrived after the General had left this city for Texas) it was a question at first with me, whether it did not regularly devolve upon myself as a part of my duty to have them executed as nearly as possible according to their spirit; because from my acquaintance with the position of the negotiation here, I was entirely satisfied that a literal execution of them was impracticable, there being (as was before stated) no proposition as coming from Texas, still pending before this Government; and therefore none to be withdrawn.

Annexation

The proposition, which was made by General Hunt on the part of Texas, (the only formal proposition for annexation made on her behalf) was rejected absolutely and unconditionally, and not even reserved for future consideration (i.e. during the present relative condition of the three parties;) and as Mr. Forsyth himself affirmed in his letter to the Executive, (a copy of which was sent you in my despatch No. 36) the subject was no longer considered as within the control of the United States. In what manner then can a proposition be withdrawn, which is not even admitted to exist? Is it not self evident, that that which has already been finally rejected cannot be thereafter withdrawn?

It is equally clear that the action on the subject in Congress was not and could not have been legitimately predicated on any proposition coming from Texas herself, there being no such proposition pending (the proposition which was made on her part having been disposed of back into her own hands). tho' it was predicated on the petitions and memorials of their own citizens, and the resolutions of their own state

The question with Congress in this
position of Texas should be
make a new prop

would then become the duty of the Executive here to open a negotiation de novo, and Texas would then be, not in the attitude of the party sueing, but of the party sued.

According to this view of the matter, the question of annexation is entirely open and untrammelled, and Texas in such a condition, that she can either commence the negotiations anew, or drop them altogether; wait for an overture to be made on the part of the United States, or protest if she please, against its being made a question in the Congress of the United States whether her sovereignty shall or shall not be immersed in that of the United States; and inasmuch as she is very generally, altho erroneously regarded as still in the attitude of a suiter to the United States for admission into their Union, she might seize the first fit occasion, which presents itself, to place herself in her true position, and disabuse the minds of all concerned by explicitely declaring to this Government that she is no longer an applicant for admission.

Annexation

I have taken the liberty of throwing out the above ideas upon the subject of instructions, well knowing, that whatever of reason they contain will be obvious to you upon perusing them, and permit me to say with a hope that they may lend you some aid in ascertaining the best course of policy to be pursued.

The appointment of Col Grayson as Minister to this Court, will of course render it improper for me to act at all in the premises. He is doubtless, invested with sufficient discretionary powers to pursue the course which he may deem most advisable.

The army of the United States has been considerably increased by a late act of Congress, augmenting it by an addition of 4500 men, a large portion of this additional force being intended for the protection of the South Western frontiers of the United States, Considerable apprehension has been felt here, lest the Indians on that frontier should prove troublesome.

I send you herewith a copy of the report of the Committee of Foreign Affairs on the present attitude of the relations between the United States and Mexico.

I have the honor to remain with great consideration

Your Obed.t Servant

Fairfax Catlett.

Honorable R. A. Irion.
Secretary of State
Republic of Texas.

Letter from Fairfax Catlett dated Paris Sept.r 5.th 1838 which should have been inserted here, See Page 190 Mr. B. L.

Despatch No 8.

Paris Sept.r 5.th 1838.

Legation of Texas.

To the Hon.l R. A. Irion, Secretary of State.

Sir

I had the honor some weeks since in a private letter, to inform you that I had received several documents enclosed to me from Houston, relative to the capture of the Abispa &c. are signed by the Hon.l Mr Shepard, Secretary of the Navy, another by Mr. P. W. Humphreys, a clerk in that Department, and a third without any date or signature, all of which I then informed you, were without your sanction, and therefore I declined acting upon them. Still more recently in another private communication I informed you that I had just then received a despatch from you dated 2.th May last which referred to "Accompanying documents relative to the capture and condemnation

Irion

ing the vessel

rowing out of the capture and con'ca'tion

of goods on board the Schooner Abispa, and the alleged seizure of goods on board "Little Penn"; and that inasmuch as there were no papers accompanying your communication at the time it was received, and as it was dated shortly after the document first alluded to, I would couple them together, and had determined to make a communication to the British Government founded upon the fact contained in these documents altho the information given in them was far from being such as I had desired and expected. A few days since and before I had made the communication I intended on this subject, I received from Lord Palmerston the following note.

Foreign Office August 24. 1838.

Sir

On the 24th January last, I addressed a representation to you respecting the seizure of British property composing part of the Cargo of the British Schooner "Little Penn" by the Texian Armed Schooner "Brutus". To this representation you did me the honor to reply on the following day, stating that you had not received any information or instructions on that subject, but that you would not fail to refer my communication to your government, assuring me at the same time, that if upon investigation it should appear that the property referred to was wrongfully seized, your Government would not fail to make full restitution or compensation to the owners. I request you to be so good as to inform me what has been done in fulfilment of this declaration. I also request to be informed what steps have been taken in the case of the British vessel "Eliza Russell" in accordance with the assurance conveyed in your letter of the 26th of October 1837. That orders had been given by the Texian authorities for making the most ample and speedy compensation to the owner of the "Eliza Russell" for the unlawful detention and capture of that vessel. The Parties interested in these two cases of Spoliation by armed vessels under the Texian Flag are pressing Her Majesty's Government to obtain for them redress without further delay; And I should therefore be glad to receive your answer to my present enquiries at your earliest convenience.

I have the honor to be, Sir, Your Most Obdt. Servt

Genl. A. Pinckney Henderson. (Signed) Palmerston.

To which I returned the following answer,

Paris September 3d 1838.

The Undersigned agent of the Republic of Texas has the honor to acknowledge the receipt of the communication of the Rt. Honble. Lord Viscount Palmerston, Her Majesties principal Secretary of State for Foreign Affairs, of the 24th Ultimo, upon the subject of the claims of British citizens against the Government of Texas, arising out of the alledged seizure of their goods on board the 'Little Penn' and the schooner 'Abispa', and the capture and detention of the Schooner 'Eliza Russell' by the National Vessels of Texas.

In reply to which the undersigned has the honor to inform Lord Palmerston, that he, in compliance with his promise, communicated to the Government of Texas the representation of Messrs F. A. Sigardi & Co upon the subject of the alledged seizure of the goods of British citizens on board the Schooners "Little Penn and Abispa", and asked to be informed and instructed in regard to the same. But a few days has elapsed since the undersigned received an answer from his Government in reply to that communication. In relation to the seizure and condemnation of goods on board the Schooner 'Abispa' the undersigned is instructed to state that Vessel was captured by Government Vessels of Texas near the Bar of the Coast of Mexico about the 30th of July 1837, and sent for adjudication to Matagorda, a port of Texas. That it was in evidence [illegible] the Schooner [illegible] the shewing of Messrs F. A. Sigardi [illegible] property of Mexican Citizens [illegible]

Palmerston to H. S. Henderson relative to Little Penn and Eliza Russell

Henderson to Palmerston relating to Little Penn & Eliza Russell.

they were concealed from the Texian Authorities, and that upon that evidence, the Vessel and Cargo were condemned as a lawful prize of war. The Undersigned deems it unnecessary for him to cite authority from the Laws of Nations to prove to Lord Palmerston, that that Schooner and her Cargo were properly condemned under the above circumstances, but the presumptive evidence in
Little Penn. that case upon which the cargo was condemned must yield to positive proof. He is further instructed by the President of Texas, to assure Her Majesty's Government, that if at any time hereafter, the claimants in this case shall produce such positive proof as is usually required in similar cases, to rebut the presumptive evidence upon which the goods were condemned, the Government of Texas will without hesitation make them full compensation for the same. Upon the subject of the seizure of the Cargo remaining on board of the 'Little Penn' at the time she was discovered by the Texian Vessels, the Undersigned is instructed to inform Lord Palmerston, that the Government of Texas caused the most thorough investigation to be made, of which the nature of the case would admit, which resulted in the refutation of the charge made in that case against the officers of the Texian Vessel 'Brutus' by Capt Mauro Ma Carpizo a citizen of Mexico. Captain Boylan who Commanded the Brutus at the time mentioned in the statement of Capt Mauro. Ma Carpizo, reported to the Government of Texas, that he had discovered the wreck of the Vessel 'Little Penn' but left her undisturbed.

In reference to the capture and detention of the Eliza Russell and the compensation therefor promised to her owners by the Government of Texas, the Undersigned is instructed by the President to assure Lord Palmerston, that nothing has prevented them from Complying with the promise, but the want
Eliza Russell. of knowledge on their part of the same justly due. That it is true that the statement of Captain Russell laid before the Undersigned by Lord Palmerston in January last, does fix upon the sum which he claims, but that the sum so claimed by him is unwarrantable. The Undersigned has now the honor to remind Lord Palmerston that the treaty making powers in Texas is vested by her Constitution in the President and Senate. That no money can be drawn from the Treasury of Texas for any purpose except it be authorized by Congress. That according to the clause of the Constitution of Texas first above cited, the direction of the President, that Compensation should be made to the owner of the Eliza Russell for the Capture and detention of his vessel, as communicated by the undersigned to Lord Palmerston on the 26th Octr 1837, can only be carried into effect through the Ministers or Authorized Agents of the two Governments. He is directed to assure Lord Palmerston that the President has at all times been ready and anxious to cause his determination in that regard to be carried into effect, whenever Her Majesty's Government shall have appointed an Agent with power to treat with the authorities of Texas in that Case. The Undersigned has the honor to inform Lord Palmerston that the only way in which the owner of the 'Eliza Russell" can (under the existing relations between England and Texas) obtain Compensation, is by making direct application to Congress personally or by his agents authorized to fix upon the sum which he deems justly due to him for the detention of his vessel. He begs leave also to remind Lord Palmerston that Capt Russell states in his Protest, that he was informed by the President of Texas, during his stay in Galveston, that he had no power to draw money from the Treasury for any purpose without being specially authorized by Congress; and that he was also advised that Congress had the power, independent of Treaty stipulations upon the subject between the two Governments of

[illegible] to indemnify

him for his loss, which they would not hesitate to do at their first meeting, he was at the same time requested to appoint some person with full powers to represent him, and who should make application to the Congress then next ensuing, which would under the advice of the President make him satisfactory remuneration.

The Executive did recommend that body to make such an appropriation, and they were prevented from a compliance only by the refusal or neglect of the owner of the Eliza Russell to appear personally or by his authorized Agent to give upon the sum justly due. The Undersigned is instructed to assure her Majesty's Government that the President is still resolved to carry his first determination in this case, as mentioned in the note of the Undersigned to Lord Palmerston on the 26th October 1837, to be carried into effect, whenever such relations shall have been established between the two Governments, as will enable him under the Constitution to do so; or that Congress will at any time make a special appropriation to the owners of that Vessell is applied to as above stated. The Undersigned flatters himself that this frank statement is sufficient to satisfy her Majesty's Government that the delay in this case is attributable to the negligence of the claimants, and not to any indisposition on the part of the Government of Texas to comply with their determination as before expressed.

Eliza Russell.

The Undersigned avails himself of this opportunity to assure Lord Palmerston of his very high Consideration

(Signed) A. Pinckney Henderson.

The Rt Hon.ble Lord Viscount Palmerston, &c, &c, &c.

By referring to the copies of the documents upon which I founded the above communication, which you doubtless have at hand, and comparing their contents with this point which I have been compelled to meet in the case, you will readily see how very imperfect they are. The evidence which they afford upon the subject of the seizure of goods on board the 'Little Penn' is contradictory. Capt.n Boylan in his report to the Secretary of the Navy, says that he saw the wreck of the 'Little Penn' but left it undisturbed. The extract of the evidence taken on the investigation of "certain charges" against a Mr. Wright states that goods were taken from the 'Little Penn' by Wright and the officers generally. You did not inform me whether the President was disposed to credit the one or the other of the above statements. Therefore I was left to draw my own conclusion, as to what was the probable determination of the President in that regard. In doing which, I preferred giving the decision in favor of the credibility of the Commanding officer altho I fear, that in doing so, I may have erred. It is to be regretted that the President did not have the case fully investigated, so as to enable you to give me definite instructions, or if no other evidence than what was given could be had, then he was the best able and the most proper functionary to decide upon the conflicting evidence. I am at all times willing to assume the necessary and proper responsibility where there is no higher authority who may renounce my acts, but in this case I have acted with great reluctance, the more so because I know not what may be the opinions and policy of any future administration in this case.

To Dixon from Henderson.

Little Penn.

In relation to the 'Eliza Russell' there was less difficulty in making an answer to Lord Palmerstons enquiries. It does seem to me that Congress might satisfy the Claimant in that case, by giving the President power to draw from the Treasury, such a sum of money as he might agree to pay Captain Pitts provided it does not exceed a certain amount. The President will see the necessity of having this case provided for at the earliest possible period.

Eliza Russell.

I have the honor to be

Your &c.

Despatch No 39.

Texas Legation, Washington City
September 25th 1838.

Sir,

Anson Jones arrival in Washington

I have the honor to inform you that I arrived in this City on the 23d ultimo, and entered upon the discharge of the duties of my mission. On the 24th ultimo I addressed the following note to the Secretary of State.

Texian Legation, Washington 24th Augt 1838.

Sir

to Mr Forsyth announcing his arrival.

Having just arrived in this City with authentic credentials as Minister Plenipotentiary from the Republic of Texas, and being desirous to present the same, I have the honor to request that you will inform me at what time an interview for that purpose will best suit your convenience.

In the mean time I have the honor to offer you assurances of my high regards.

Anson Jones.

Hon.
John Forsyth. Secty of State. U. S.

On the 27th I received the following reply from Mr A. Vail, acting Secretary of State.

A Vail's answer

Department of State Washington 24th Augt 1838

Sir, Your note of this morning announcing your arrival in this City, and requesting an audience of the Secretary of State to present your credentials as Minister Plenipotentiary from the Republic of Texas, has just been received at the Department, and I have the honor to inform you in reply, that the absence of the President and Secretary from the Seat of Govt renders it impracticable at present, to comply with your wish. If however, previously to their return, you should have occasion, informally, to address this this Government on the business of your Mission, your communications will be received and laid before the Secretary of State without unnecessary delay.

I have the honor to be with great respect, Your most obt Servt.

A. Vail.
Acting Secty of State.

Anson Jones Esqr
&c &c &c.

Finding from this that nothing effectually could be done until the return of Mr Van Buren, which was uncertain, I embraced the opportunity afforded by the interval, in looking over and examining myself acquainted with the various documents and despatches on file in the Legation, which being numerous, occupied my time until the third instant, when I had the honor of receiving by Mr Gray, your despatch of the 7th August last. In compliance with the instructions that I should render every assistance to the Commissioners, appointed to negotiate the loan, and believing that I could do this most effectually by being with them, and the President still continuing absent, I left the next morning for Philadelphia, at which place I found both Mr Burnley and Mr Williams, to whom I communicated the instructions I had received: as the progress and result of this negotiation will be communicated to the Government by the Commissioners themselves, it will be unnecessary for me to say any thing on the subject, except that I believe every possible exertion is being made by them and should they fail of success, that it will be from the concurrence of circumstances and events which they cannot obviate or control. I again returned to Washington on the 24th and last evening had the pleasure of receiving your Despatch of the 7th inst.

examination of documents of Legation

visit to Philadelphia

The President has not yet returned. I called informally to day at the State Department with Mr Catlett and was very politely received by Vail acting Secretary (Mr Forsyth being absent) with whom I had

interview of half an hour. My principal object in making this informal visit was to ascertain if any thing could be done to accelerate the settlement of the boundary question previous to my formal presentation as Minister. I embraced the occasion to express to Mr. Vail the strong desire felt by this Government of Texas for the speedy adjustment of this important subject and my own anxiety to proceed to the discharge of my official duties in relation to the same. Mr Vail, in reply, informed me that nothing could be done until the return of the President, particularly, as his signature had not yet been given to the ratification of the treaty of limits, but that he would be ready immediately upon the return of Mr Van Buren which was now daily expected, to proceed to the exchange of the Ratifications. I shall be prepared on my part and ready to make the exchange at the earliest possible moment. So much regret the delay which has already occured, and but for my great desire to have been enabled to communicate the consummation of the matter before this time, I should have written you much sooner.

I have the honor to be with high consideration Your
Obedient Servant.
Anson Jones.

Hon. R. A. Irion
Secretary of State

Despatch No 2.

Legation of Texas.
Paris October 5th 1838.

To The Hon. Secretary of State of the Republic of Texas.

Sir

For some months after my last despatch, I awaited
J. P. Henderson according to the intimation which I then gave you, to see the result of the demand which
to Secty of State France had just then made upon Mexico; hoping that the unfriendly feeling which
including note. I saw likely to grow out of this affair would dispose France to hear my request with
not noted. a more favorable feeling than I believed her disposed when I first arrived in Paris.
Count Molé Indeed, I then discovered that unless France and Mexico actually commenced
on the subject hostilities, I could not expect to obtain the recognition of Texas by the French
of recognition Government. About the middle of August, it was rumored here in the Ministe-
&c. &c. -rial circles, that France then saw that she would have much more difficul-
ty in coercing Mexico than she at first anticipated, and that she was then
willing to compromise the affair upon almost any reasonable terms. Fearing
that the imbecility of Mexico might induce her to accept of such terms as France
in her then state of feeling would offer, I concluded that the time had arrived
when I ought to press this Government to give me a definite answer. Accordingly
I addressed to Count Molé the following note.

"The Undersigned Agent of the Republic of Texas begs leave to call
Henderson to the attention of His Excellency Count Molé, President of the Council and
to Count Molé Minister of Foreign Affairs to the communication which he had the honor
to address him on the 1st June last upon the subject of the recognition of the
Independence of Texas by His Majesty the King of the French, and begs Count
Molé to inform him of the determination of his Majesty in that regard.

The Undersigned avails himself of this opportunity to renew to Count
Molé the assurance of his high consideration

Paris August 15th 1838. (Signd) J. Pinckney Henderson.

To His Excellency Count Molé, &c. &c. &c.

In a few days I received an intimation from him that
was preparing a report upon the subject of my mission, which he would lay
when finished to the King and the rest of the Cabinet, and that he would
of their determination in that regard when had. I then again awaited
decision with patience. Not however having received a
of Sept. 1st, I addressed

Paris September 26th 1838.

Mr Henderson to Count Molé requesting the recognition of the Independence of Texas by the French.

"The Undersigned agent of the Republic of Texas begs leave again to call the attention of his Excellency Count Molé, His Majesty's Secretary of State for Foreign Affairs to the communication which he had the honor to address him on the 1st June last upon the subject of the recognition of the Independence of Texas by His Majesty the King of the French, and begs that he will honor him with an answer to the same. In addition to the reasons heretofore set forth in support of the claim of Texas to recognition as an Independent Nation, the Undersigned begs leave to add the increased embarassment of Mexico in her foreign domestic and financial relations. - the remarkably rapid increase of the population of Texas for the last six months, and her independent financial condition, arising alone from her internal prosperity and resources; which he hopes will be sufficient to convince His Majesty's Government (if they entertained any previous doubts) that Mexico has no prospect of reconquering Texas. - And when His Majesty contemplates the present and the past situation of Texas, - that the present authorities of that Country have held the reins of Government for the last three years - that by recognizing the Independence of Texas, no guarantee is given, - that His Majesty is only solicited to acknowledge a fact that has existed for three years, and has been recognized for eighteen months by the Government of the United states - Viz, that the Government which the Undersigned represents is de facto, the Government of Texas, the Undersigned hopes that his Majesty will, with the same promptness and justice which has ever characterized the Government of France in like cases, comply with his solicitations in this case. He cannot however conclude this communication without again insisting that the facts of this case not only warrant that His majesty shall recognize the Independance of Texas upon the above principle, as the long established usage of Nations in such cases, and that she is capable of maintaining her present position and of performing all of the obligations of an Independent Government, but that they will justify the determination that Texas is 'de jure' an independent Nation for the facts to prove which the Undersigned begs leave to refer his Excellency Count Molé to his communication of the 1st of June last, or to so much of it as contains references to this point of the case. - When Count Molé recollects that nearly five months have expired since the Undersigned first appeied to him on this subject, and when he is at the same time informed that the time is near at hand when it will become the duty of the Undersigned to leave France, to discharge a duty imposed upon him by his Government in another country, he is persuaded that he will no longer delay answering his application.

The Undersigned begs leave to renew to Count Molé the assurance of his very high regard and distinguished consideration

(signed) A. Pinckney Henderson.

To Count Molé &c. &c. &c.

To which I received the following note in reply.

Count Molés to Mr Henderson.

(Translation) "The President of the Council, Minister of Foreign Affairs has the honor of stating to General Henderson, that he would be happy to see him tomorrow Monday the first of October at 9 o'clock in the morning

He takes this occasion to offer him the assurance of his distinguished consideration.

Foreign Office September 30th 1838."

I attended at the Foreign Office according to the request contained in the Counts note, and had a very satisfactory conference with

He informed me that he had instructed the French Minister at Washing-

ton to

report to this Government the situation of the Country in all respects; and that they could not give one a definite answer until they heard from him. I replied that I was glad to hear that His Majesty's Government had taken that course that I was sure there was nothing requisite to prepare the minds of this Government to recognize Texas, but a full knowledge of her Government, People and Resources - that the Government at Washington had pursued the same course, which resulted in a favorable report and was speedily followed by absolute recognition. He then asked me if Texas had a Representative in England. I informed him that I had been there, but that that Government still delayed the Recognition of Texas, but that they had not refused to recognize and still had the matter under consideration. That I had brought a letter from Lord Palmerston to Earl Granville the British Ambassador at this Court for the purpose of enabling me to carry on the negotiation through him. I also informed him that I had previous to my leaving London, made a commercial arrangement with the British Government, which would open a direct trade between Texas and the Ports of Great Britain; and that since he informed me of the course which his Majesty had determined to adopt towards Texas - a course which must necessarily cause several months delay before I could expect any final action, I regarded it as important to propose a similar arrangement with his Government to that I entered into on the part of Texas with Great Britain. - Now will observe that I mentioned to him in my last communication that it would soon become my duty to leave France for another Country. He (I suppose recollecting that) then asked me when I wished to leave France. I candidly replied that I was instructed by my Government to use my discretion in that respect and that I was anxious to learn what prospect I had of obtaining the recognition of Texas during the coming winter by France and England so that I might regulate my movements accordingly. That if I discovered that neither would take that step during that time I would return to Texas - that I wished to satisfy myself upon that point before the winter set in, so that I might have a pleasant passage across the Atlantic if I found it necessary to return without fully accomplishing the object of my mission, but that I would remain with great cheerfulness if there was a probability of my being able to effect the commercial arrangement I intended to propose with France in a reasonable time, or that I would gladly remain the winter or until the Agent despatched by France to Texas shall have made his report, provided this government would be governed in their future determination upon the subject of the recognition of the Independence of Texas by the report of that Agent. I thought from Count Molé's reply to my last speech, that he was disposed to avoid committing himself or his Government on the latter point, because he observed in reply that he would be glad that I would not leave Paris as soon as I spoke of because the Government might wish to make a commercial arrangement with me, which they would take immediately into consideration. I replied that I would await their decision upon that subject with a great deal of pleasure, and that it was my intention to submit the proposition in a more formal manner as soon as I could do so which would be in a day or two. I then repeated my determination to remain if I discovered there was a prospect of obtaining the recognition of Texas by France during the coming winter, and that if there was no prospect I would return; and that I wished to satisfy myself upon that point before the last of November. He, after a moments hesitation, observed, that I only gave them two Months he did not suppose they could hear from their agents in that short time. The observation induced me to believe, that the course of this Government upon subject of recognition would depend very much upon their ad- ice that he did not exactly understand what I intended to say to learn before the last of November, whether or not there was a of obtaining our recognition by Fran the cer however repeat the assertion or point mined to

Interview and report of conversation with Count Molé, relative to recognition and commercial arrangements.

and then ask another interview with the Count, when I could interrogate him fully upon the course his Government was likely to pursue. Whether the King would recognize provided his agents report on the situation of Texas warranted that course, or whether any other circumstance that might be nameless would influence his decision upon that subject. After some other unimportant conversation, he asked me the nature of the Commercial arrangement I had made with England, - whether it was in the nature of a convention or treaty - I then explained it to him as it really is. He then expressed a desire to see a copy of Lord Palmerston's letter communicating the determination of the British Government upon my proposition, which request I did not deem expredient to refuse, and accordingly transmitted to him a copy of the same, with the following communication.

Paris - October 1st 1838

When the Undersigned agent of the Republic of Texas last had the honor of an interview with his Excellency Count Molé, Minister of Foreign Affairs he expressed his desire to make a commercial arrangement with the Government of France, under which a direct commerce may be carried on between her Ports and the Ports of Texas until his Majesty the King of the French shall have recognized the Independence of Texas. He now has the honor to submit the proposition in a more formal manner. The Undersigned would regard it as superfluous to enter into a formal agreement, or to cite any part of the laws and usages of Nations to prove that according to that code, a Neutral Power has the right to avail herself of the trade of a revolted State, previous to the recognition of the Independence of such State, either by the Government to which it belonged, or the Neutral Power. - In regard to this point of the present case, he deems it sufficient to remind his Excellency that the power of Mexico in Texas has been entirely extinct for three years, - that during the whole of that time, Texas has been entirely governed by the Authorities which the Undersigned has the honor to represent, - that a similar arrangement to that which he now proposes to make with the Government of France, existed between the Government of the United States and Texas previous to the recognition of the Independence of the latter by the former - that Texas has been recognized and treated with as an independent Nation by the Government of the United States for more than eighteen months. - The only point then to which it seems necessary to enquire is in relation to the expediency of such an arrangement as that proposed. - With regard to that, the Undersigned begs leave to inform Count Molé that Texas is not and never can be a Manufacturing Country. - Her climate, the disposition of her Citizens, the richness and extent of her soil, together with the nature of its products will for ever prevent it, by directing their labor and Capital to the cultivation of her lands. Her People then must depend for their manufactured articles upon France and other foreign Countries, for which she will exchange her Cotton, Indigo, Raw Silk, Tobacco, Sugar and various other articles, which the richness of her soil and the mildness of her climates enable her to produce in great abundance. The United States being the only Government which has recognized the Independence of Texas, and until lately, the only Country with which Texas could carry on a direct commercial intercourse, has monopolized the whole of her profitable trade, and imposed upon her the highest prices. Under the existing state of things between France and Texas, the People of Texas are compelled to pay double duties, double freights and double profits to Merchants upon all French goods which they consume. Viz. - Freight from France to the United States, duty to the Customs of that Country to her Merchants, with the additional freight to Texas, duty to ses, and profit to her Merchants. Thus the People of Texas have ...ed to pay an exhorbitant price for all goods Manufactured in France, ... articles of American Manufacture at a price beyond that

Henderson to Count Molé proposition for a Commercial Arrangement between France and Texas.

to say that the largest portion of the goods which are best suited to the Texian Mr
are manufactured in France, and would be imported into that Country, provided it
could be done without subjecting them to the taxes as above mentioned. The Cotton
of Texas is superior in quality to any raised in the United States, except that of the Sea
Islands, and consequently, the undersigned is informed is better adapted to the French
than any other Market. — By the Tariff laws of the United States all Texian Cotton im-
ported into her dominions is subject to a tax of three cents per pound, which will
force her to seek a Market in other Countries. His Excellency Count Molé will see,
that as matters now stand, France is denying herself the benefits of a Lucrative
trade with Texas, whilst the British and American Governments are enjoying its
benefits. — The Undersigned proposes on the part of Texas to enter such an arrangment
with the Government of France, as will admit the Vessels of Texas, with Texian
papers, flag and Cargo into the Ports of France, upon such terms as may be compat-
ible with her laws and the pleasure of his Majesty the King. He has also
the honor to inform Count Molé, that according to the present laws of Texas,
the Vessels and Manufactured articles of France will be received into the Ports
of Texas upon the same terms as those of the most favored Nation. He begs
leave to remind his Excellency that the season is now at hand when the people
of Texas are seeking a Market for their Crops of the present year, and receiving
in return their winter supplies of goods, and he therefore requests his Excellency
to inform him at the earliest convenient time of the disposition His Majes-
ty's Government shall make of this proposition, that he may inform his
Government of the same —

The Undersigned begs leave to renew to Count Molé the
assurance of his most distinguished consideration

(Signed) H. Pinckney Henderson

To his Excellency Count Molé &c. &c. &c.

I would gladly have avoided giving to Count Molé a copy
of Lord Palmerstons Letter as above stated, but I could have made no sufficient excuse
for withholding it since the arrangement has been approved and published by the Government
of Texas; because that places it so far as its publicity is concerned upon the same footing with
public Treaties. If this Government will consent to a similar arrangement, it will answer
all the purposes of trade; but I am convinced that I could have made a more formal arrangment
with them, if I could have withheld Lord Palmerstons Letter because I stated to him in gen-
eral terms, that the Treaty between Mexico and England was continued in force by that
arrangement between Texas and England; and inasmuch as the Treaty heretofore existing
between Mexico and France is at least suspended by the hostile position which France
has assumed towards Mexico, I am of opinion that I could have induced this Gov-
ernment to have entered into a formal compact with Texas independent of her treaty stip-
ulations with Mexico. — I have but little doubt I will be able to effect some sort of
an arrangement with them speedily upon what basis I cannot say. —

Some difficulty has heretofore existed in regard to Texian Citizens
obtaining passports to come from England into France, inasmuch as Texas has no recognized
Minister in London, and inasmuch as the French Minister in London only had power hereto-
fore to grant passports to French and English Citizens, all others being compelled to obtain
passports from the Ministers of their own Government. — In July last, there being several
Citizens of Texas in England who were desirous of visiting Paris and being unable to
do so for the above reason, they wrote to me requesting my interferance. — I im-
mediately addressed a note to Count Molé requesting him to cause the Ambassador at London to grant the several persons therein named the passports to come to France; and also requested him to empower the Ambassador to grant passports to all Texian Citizens who should apply to him, until Texas should be heard from

relative to passports from England to France for Texian Citizens

instructions to the Ambassador in London, so that hereafter Texian Citizens in England will meet with no delay in that regard.

Heretofore informed you that upon leaving England, I had been furnished by Lord Palmerston with a letter to Earl Granville the British Ambassador at this Court for the purpose of enabling me to carry on the negotiation with the British Government through him. I called on him a few days since, and held a conversation with him upon the affairs of Texas, and asked him to inform me what the disposition of his Government was at that time in regard to the recognition of Texas. He said he had not heard from London upon the subject particularly, but that if I desired it he would write Lord Palmerston upon the subject. I requested him to do so and informed him at the same time that I was instructed to inform his Government that the Ministers of Texas at Washington had been instructed to withdraw the proposition heretofore submitted for the annexation of Texas to the United States. Upon that subject I will write you a separate despatch when I hear from him

Henderson's Interview and Conversation with Earl Granville

I have the Honor to be, Sir, Your Most Obedient humble Servant
J. Pinckney Henderson

Despatch No 40.

Texian Legation
Washington Octr. 13th 1838.

Sir

My Despatch, marked No 39 of the date of Septr 26th will have informed you of all that has occurred up to that time. The President of the United States returned to this City from his protracted visit to Virginia, on the 2nd Instant, and on Tuesday the 9th was fixed upon for my being presented to him. Accordingly on that day at the appointed hour, I called at the State Department and accompanied by Mr Vail the acting Secretary of State. (Mr Forsyth being absent on a visit to Georgia) I went to the Executive Mansion and was introduced to the President by him. His Excellency received me with great Kindness and civility. Upon delivering my Letter of Credence, I said.

Anson Jones relative to ratification of Treaty of limits, and with a view of opposition to annexation

Mr President, I have the honor to present you this Letter from the President of the Republic of Texas, accrediting me as Minister Plenipotentiary to this Government. In delivering this, I have it especially in charge to assure your Excellency of the continued friendly feelings of the Government and People of Texas towards the Government and People of the United States, and to express their sincere and ardent wishes for your future happiness and prosperity, and that of the Country over which you presided.

Interview with President Van Buren.

For my own part, I consider myself most fortunate, Sir, in having the distinguished honor of appearing before the Chief Magistrate of this great, free and happy Nation, as the Diplomatic Representative of my adopted Country; and it will ever be my greatest happiness, as it is my imperative duty in the discharge of my official functions, to promote, by every means in my power, the friendly relations now so happily existing between Texas and the United States, and the reciprocal interests of the two Governments.

To which Mr Van Buren replied.

It gives me much pleasure, sir, to receive you as the accredited Representative of the Republic of Texas, and I reciprocate very cordially the assurances of good will, which you have expressed the Government and People of Texas towards the Government

most liberal and friendly relations between the two Countries are two manifestations, and the interests of both, in their Maintenance, too obvious, to allow them to be disregarded by the Government of either. From your personal dispositions to promote so desirable a result, I have the fullest confidence, and you may confidently rely on our cordial cooperation in any proper measures, that shall be calculated to advance it."

On the following day, Octr 10th, I addressed the subjoined note to the Secretary of State, on the subject of exchanging the ratifications of the "Treaty of Limits".

Texian Legation, Washington Octr 10th 1838

A. Vail Esqr Ac. Sec. &c. &c.

Sir, It is stipulated in the Convention for Marking a portion of the boundary line between Texas and the United States signed by their respective Plenipotentiaries in this City, on the 25th day of April last, that the ratifications of the said Convention shall be exchanged in this City, within the term of dix months from the date of the signature. This term will expire on the 25th Inst. I am now prepared to make the exchange on the part of Texas, and would thank you to inform me if you are ready to act, for that purpose on behalf of your Government, and, if so, to inform me at what time it will suit your convenience to proceed to make the exchange.

To A. Vail asking an exchange of ratifications of Treaty of Limits.

I embrace this opportunity to offer you the assurances of my high consideration

(Signd) Anson Jones.

To this note he returned the following Answer.

Department of State Washington 11th Octr 1838.

Anson Jones Esqr, Minister Plenipotentiary of the Republic of Texas,

Sir,

I have had the honor to receive your note of Yesterday, stating that, agreeably to a stipulation in the Convention for marking a portion of the boundary line between the United States and Texas, signed on the 25th of April last, you are prepared to proceed on the part of Texas, to the exchange of the ratifications of said Convention, whenever I might be ready to meet you for that purpose on the part of the United States, and asking to be informed of the time when the exchange may be effected.

A. Vail's reply fixing a day for exchange of ratifications

It affords me great pleasure in stating to you that, To-morrow, Friday, at 12 o'clock, I shall be ready to make the exchange, and for that purpose shall be happy to receive you at that hour at the Department of State.

Be pleased sir, to accept, on this occasion, the assurances of my very distinguished consideration

(Signed) A Vail, Actg Secretary of States.

I accordingly attended at the Department at the time fixed, when the Ratifications of the Convention were exchanged in the usual form — I embraced the occasion to repeat the strong desire of the Government of Texas to have this question settled by running the line &c. &c. Mr Vail informed me that he presumed the President would not delay the appointment of a commissioner. The same day I addressed the Secretary of State the following note, withdrawing the proposition for the Annexation of Texas to the United States.

ratifications exchanged

Texian Legation. Washington Octr 12th 1838.

A. Vail Esqr. Actg. Secty. of State of the United States

Sir,

Since the date of Mr Forsyth's conversation with General Hunt on the subject of the proposition to Annex Texas to the United States, although that proposition was then considered by the Government, as finally disposed of, Texas has nevertheless continued to be by the People of both Countries, as a matter of course looked to as destined ultimately to form a part of this Union.

To A Vail withdrawing the proposition for annexation

and declaring that an explicit avowal of its present policy, in reference to this measure, would conduce mutually to the interest of both Countries, the Government of Texas has directed the Undersigned, respectfully, but unconditionally to withdraw the proposition above mentioned.

The undersigned Minister Plenipotentiary of the Republic of Texas, therefore, in accordance with his instructions, has the honor to announce to the Secretary of State of the United States the formal and absolute withdrawal of the proposition for the annexation of Texas to the United States.

The Undersigned embraces this occasion to renew to Mr. Vail renewed assurances of his distinguished consideration.

(Signed) Anson Jones. "

In reply I received to day the following communication.

Department of State

Anson Jones Esqr Washington 13th October 1838.

Minister Plenipotentiary of the Republic of Texas.

The Undersigned acting Secretary of State of the United States, has the honor to acknowledge the receipt of the note addressed to him, yesterday by Mr Anson Jones, Minister Plenipotentiary of the Republic of Texas, announcing under instructions from the Texian Government the formal and absolute withdrawal of its proposition for the annexation of Texas to the United States, and to state that Mr. Jones' note has been laid before the President.

A Vail's reply to the above.

The Undersigned takes this opportunity to offer Mr Jones the assurances of his distinguished consideration,

Signed A. Vail.

I have written under date of to day, in duplicate to Genl Henderson and informed him of the withdrawal of the proposition for annexation, as you requested. My letter will go by the Royal William and reach London in course, about the 6th of November.

I have the honor to be with the highest respect

Sir, Your most obdt Servant

Anson Jones.

Hond.

R. A. Irion

Secretary of State, Republic of Texas.

Paris October 28th 1838.

Dear Sir

Accompanying this letter you will receive my despatch upon the subject of the operations of the French blockading squadron M. M. I hope soon to have your reply and the opinion of the Government upon the same. (By the time this reaches Texas I presume Genl Lamar will be installed and that there will be a new Secretary of State. Therefore I must call his attention to my several despatches from London and one from this City upon the subject of the claims he will see the British Government have made against Texas for the alledged capture of property of her subjects. And should the late Government of Texas have failed to give me such information and instructions as appears to be necessary in the case to enable me to answer to those claims, I hope the present Secretary of State will not delay that very important matter. I can of course know nothing of those claims without being informed by the Government of Texas. The British Government have certainly made out such a claim as renders it necessary for Texas to enter into the whole evidence upon which the condemnation of the

Henderson to Secty of State relative to the same matter

Same by British Consul

what to say whether I deny the whole, admit the whole or a part, and if any how much? You will see that the first despatches to me on this subject are indefinite and unsatisfactory, such as I could not act on. The Government has agreed to compensate the owner of the 'Eliza Russell' for her Captain and detention and I hope Congress will pass such a law this winter as will enable the President to comply with that promise without further delay.) I presume that Congress will still be in session when this reaches you, if so I must ask you to do me the favor to call their attention (through some friend and member) to the subject of my salary and outfit to this Court as you know none has as yet been given upon for me. I am anxious to know what I am to receive that I may try in some degree to regulate my expenditures accordingly. I do not expect the Government to pay me cash regularly under the present embarrassed state of funds, but I wish to know how far I may expect to have refunded the money I am now compelled to expend of my private fortune. I have lived as economical as a gentleman can do who is in a similar situation, yet I was compelled to spend more than my salary and outfit to England amounted to before the expiration of the year. I have been here for the last six months incurring the same expenses to any great inconvenience at present, without knowing what pay I am to expect hereafter. Since this account the Government advanced to myself and the Secretary of Legation has been expended, we have both supplied ourselves from our private resources, and as my necessary expenses amount to at least four times as much I expected would be the case, and inasmuch as I cannot be in the United States where my property and credit lies, I find it very inconvenient to supply myself with the necessary funds and I have succeeded partly with the expectation of being able to pay the amounts I have borrowed with my pay from the Government upon my return. You will therefore be able after this exposure of my affairs to account for my anxiety on the subject. Please inform me as soon as convenience will permit of your action in this case. My affairs at home are somewhat involved by my absence there, and I am anxious to arrange matters there and return home as soon as I can do so with propriety.

request to lay his claims before Congress for pay for outfit &c. Francis Mc.

I hope to hear from you soon after the arrival of the Agent in Texas who has been sent by this Government, and also please inform me of his subsequent movements, particularly of his return that I may know when to urge this Government to a decision upon the question of recognition

Your Obedient Servant
J. Pinckney Henderson.

Hon. Secretary of State
of the Republic of Texas.

Despatch No 3.

Legation of Texas
Paris Octo 2 1836.

To the Hon. Secretary of State.

Sir.

I have the honor to acknowledge the receipt of your communication of the 7th ultimo instructing me to "communicate to the French Government, the desire of the President that they may extend the operation of their Fleet to the Coast of Texas, so far as it may become necessary to prevent the evasion of their blockade of the Ports of Mexico."

Henderson to Secty of State concerning the French Blockading Corpus Christi &c.

The circumstance of the late occupation of Corpus Christi, as in the limits of Texas, by the Mexicans, had not escaped my and I had reflected on the propriety of naming it to this Gov and informing them that the Law of Texas to their Blockading that Port of your instructions.

inasmuch as the main ground upon which I have founded my applie= cation to the French Government for the Recognition of Texas as an Inde= pendent Nation is her ability to maintain her independence, unaided by other Nations; and that Mexico has not the power to invade or again sub= due any part of Texas; and that by requesting this Government to blockade that part of the Coast of Texas would be a contradiction of that important position, and tantamount to saying to France, that Texas is not able to defend her territory against Mexican aggressions and therefore she= solicits your assistance. I was strengthened in that determination by= the knowledge that Texas has the ability, and the belief that the Government would exercise their power to remedy that evil... I had also come to the deter= mination, that should Count Molé allude to the matter and ask leave to extend the operation to their Fleet so far as to prevent its evasion through that Port, I would deem it advisable to say to him, that the Government of Texas would have no objection to their doing so. That that Port is in a region of Texas that is not inhabited by our Citizens, and remote from her frontier settlements, and therefore she had not regarded its occupation as in the least degree important to her present peace and safety; and in that way avoid the reflection, which the possession of that Port by Mexico with= in the limits of Texas, might cast upon the strength and energy of the latter. — I beg that you will not suppose that I have made these observa= tions in a dictatorial Spirit. I only offer them as reasons to justify= ~~to justify~~ my conclusions in that regard.— When I received your commu= nication on this subject, my first impression was that I could use no discretion when my instructions are in the positive. I was led however again to review the reasons upon which my former conclusion was founded; the result of which was, to strengthen my conviction of its correctness. The same vessel which brought your despatch, brought also news of a more recent date from Texas, which informed me that a Company of Texian Troops had marched against the Mexicans at that place, who upon hearing of their approach, had abandoned it.— Under these Circumstances, and with the full conviction that I am acting as the President would have me act, if he could be present to instruct me, I have determined not to make his request known to the French Gov= ernment. I now avail myself of the earliest opportunity to convey to you that determination, and ask the President further instructions on the subject. Altho the information which has reached me in regard to the abandonment of Corpus Christi by the Mexicans is not official, yet under all the cir= cumstances I have deemed it most prudent to regard it as true. Certainly when the cause upon which the Presidents request was founded, ceases, the most positive instructions may be disregarded.— I am not one of those who believe that I am vested with authority to disregard in any case I may see proper the positive instruc= tions of any Government. I consider that I am sent here to do that, which the Pres= ident would do if he were present; but suppose I had learned since the receipt of your Communication, that all differences between France and Mexico had been amicably settled? No one would doubt I presume that I would be at liberty under such circumstances, to disregard the most positive instructions. If I have erred in my course in regard to this matter, I can only assure you that it is the result of the want of a proper understanding of the interest of Texas, and not a dispo= sition to disregard the Presidents will because it happens to differ from my own.

I think that it would even be better that Mexico should be permitted to to keep possession of that port, than that Texas should ask another nation to dispossess her. But I hope it is true that the Government have not the dispositions, but the power to drive the=

reasons for not opposing a blockade of Corpus Christie,

Taking the responsibility

Mexicans from their territory.

I will anxiously await your reply to this communication; but should this Government refer to the subject, and propose to extend their Blockade to that Port, I will speak of it as a matter of indifference to Texas, and inform them, that I am at Liberty to consent to their desire, if in their opinion it will become necessary to take that step.

I have heard nothing from Count Molé since my last despatch upon the subject of the Commercial arrangement which I proposed. I will not urge the subject again until I suppose he has received the report of the Agent which he informed me he had ordered to be sent to Texas, as I have some reason to believe, that the true cause for his requesting me not to leave Paris as early as I had intimated was my design, is a wish to keep me here until they hear from that Agent, and more of their position before Vera Cruz, and not as he alledged, a wish to enter into a commercial arrangement with Texas previous to their final decision upon the question of recognition. That however may not be the case. It would be well for you to keep me informed of the movements of the Agent of this Government, who I suppose is now in Texas, so that I may urge matters here as soon as his report is received

Concerning Commercial Arrangement &c.

I have the honor to be Sir, Your most Obedient Humble Servant

D. Penckney Henderson

Paris October 28th 1838.

My Dear Sir

I presume that you will by the time you receive this be in the full exercise of the Chief Executive Office of Texas, and upon your appointment to which, allow me to Congratulate you most heartily. You will see by referring to my former despatches (one will accompany this) how I have conducted affairs with this and the British Government, and how matters stand here. I wrote a long letter a few weeks since addressed to the President which may find you occupying that station when it reaches Texas. That letter together with my despatch to the Secretary of State of the same date will inform you of my position at this Court. I had asked and obtained leave of your predecessor to return home this fall, provided, that I concluded that I could obtain no advantage for Texas during the Coming winter or spring in France or England. You will have learned from my letters and despatches that I have Concluded to remain this Coming Winter in Paris, and the reasons which influenced me to Come to that determination, I have a strong hope that this Government will recognize Texas as soon as they receive the report of the Agent which I heretofore informed my Government they have ordered to Texas for the purpose of enquiring into her situation &c. &c. I cannot avoid believing from Count Molé's whole manner and expressions on the occasion of my last interview with him on the subject of Texian Affairs, that they really wish me to remain here until they hear from that Agent, and also from their Squadron before Vera Cruz, and that if the report of our affairs is favorable as it seems to me it must be, and their situation in regard to Mexico is not different from that at present, I believe they will immediately recognize Texas. Their true object in requesting me not to leave Paris as early as was my intention, may be as Count Molé [illegible] consider the question of a commercial

Henderson to President Lamar, relative to affairs Generally between Texas and France.

I will not urge that matter further

I will immediately press the qu

will keep me regularly [illegible]

may judge rightly

accompl

instructions of the Secretary of State under date of the 7th September last until I have further directions, and any views therefor which I hope will meet your approbation. My opinion is that a Minister has no right to delay acting upon positive instructions from his Government, — that is a general rule, to which I apprehend there are some exceptions, — such as a thorough conviction on the part of the Minister that some important points involved have been overlooked by his Government, which if called to their attention would convince them of the propriety of countermanding their orders in regard to the matter; or a change in the situation of the thing involved, which appears to be the case in the present instance. It does seem to me that the reason which dictated those instructions has ceased and that there is no longer a necessity of acting upon them even supposing that they were at the time issued founded on good reasons. It appears to me to be acknowledging too much to admit that Texas is not able to drive a few hundred Vagabond Mexicans from her Territory. It would certainly be contradicting what I have heretofore solemnly alledged, viz, that Texas is not only able to defend her own Territory against invasion from Mexico, but that she has the power to invade her enemy. I was very much relieved by the receipt of the news (soon after the despatch alluded to) that Corpus Christi the Port alluded to had been abandoned by the Mexicans on hearing of the approach of a body of Texian troops, as that (though not official) afforded as I conceive a good reason for my course. If the French Government think it important to their interest to have the liberty of cutting off the Mexican trade through any of our Ports which are unoccupied by our citizens, it seems to me that it is most proper that they should name it. For such an event I could see no good reason for refusing to give the Government's consent, provided it only extended to such of our Ports as are not settled by our citizens. I think however that it would be more compatible with the interest of Texas to prevent the Mexicans from occupying any Part of her Territory. I am aware that the want of the necessary funds has prevented Texas from acting against her enemy as effectually as her physical ability would warrant.

I informed the Secretary of state in my last despatch that I had held a conference with Lord Granville the British Ambassador at this Court upon the subject of Texian Affairs, and that he had promised me that he would inform his Government of the same. I received a communication from him a few days since, conveying the answer of his Government to my enquiries upon the subject of their disposition at that time in regard to their recognition of Texas, the substance of it is that they have not yet come to the determination to recognize Texas. If France recognizes upon the receipt of their Agents report, I will immediately repair to London and urge the Matter before that Government. I hope that Congress and the Government will dispose of the claims of the British Subjects (for Goods &c. captured) at an early day, I have heretofore communicated my views upon those claims fully.

relative to affairs with Englanders

I have the honor to remain
Your Most Obedient Servant.
J. Pinckney Henderson,

General Lamar.

Legation of the United States
Houston November 6th 1838.

Sir

I have the honor to lay before your Government the commissions of John A Monges, Elisha A Rhodes, and Young S. Porter appointed by the President of the United States, Consuls for the Ports of Matagorda, Galveston and Bazoria, and to request their respective exequaturs, which you will please transmit to me with their commissions

With the greatest esteem and regard
Your obedient Servant
Alcée La Branche

To
The Hon R. A Irion
Secretary of State of the Republic of Texas.

Houston Nov.r 6th 1838.

Sir

I had the pleasure of calling twice on you yesterday, but was not fortunate enough to find you at home. I have the honor to present my kindly regards to you, and to inform you of my arrival at the seat of Government.

With great Consideration
Your obedient Servant
Alcée La Branche

Hon.d
R. A Irion
Houston.

Legation of Texas
Paris Nov.r 12th 1838.

Despatch No 4.

To the Hon.ble
The Secretary of State
Sir,

In despatch No 2, I informed you that I had proposed to this Government to establish Commercial arrangements between it and Texas. I also then informed you of the reason that induced me to make that proposition, before the question of recognition was disposed of. After making the proposition formally to the Kings Government, I deemed it most prudent not to urge them to come to a determination upon the same, still fearing that they might regard such a course as indicative of my true expectations in regard to their action upon the claims of Texas. I also believed that they were at least determined to enter into the arrangement which I proposed, and that they intended only delay it for the purpose of inducing me to remain in daily expectation of completing it, until they could hear from their agent whom I heretofore informed you they have sent to Texas. If I were right in that conjecture at first, I suppose they altered their determination with regard to the time of completing the arrangement I proposed, after I had fully assured Count Molé of my determination to remain, until they shall have received that Agents report. On the 5th Inst. I received from Molé a communication in answer to my proposition, of the following is a translated copy.

From Government to Commercial Arrangements with Texas

Sir

I have the
honor of the

proposal on the following terms.

"Until the Mutual relations of France and Texas are regulated in a complete and definitive manner, the Citizens, the Vessels, and the Merchandize of the two Countries, shall enjoy in every respect in each of the Countries the treatment accorded, or which may eventually be accorded to the most favored Nation, conformably moreover to the respective usages."

If the powers which you hold from your Government, authorize you to subscribe to this stipulation, I will be obliged to you Sir, if you will let me know, and express in its name, a formal and explicit adhesion to it, in order that the Government of the King may be enabled to give in consequence, the necessary information and advice to the French Commerce.

Receive Sir, the assurance of the very profound consideration with which I have the honor to be,

Your very humble and Obdt Servant

(Signed) Molé.

Paris Nov. 2d 1838.

The terms proposed by the King's Government for the regulation of the intercourse between the two Nations, being perfectly reciprocal, and as favorable to Texas as I could expect; I did not hesitate in coming to the Conclusion to agree to them. The powers which I held from my Government being plenary, and my instructions from the former Executive of Texas upon this subject being definite: regarding him the precedent cases, and considering them at least partial authority in the present, and also considering that this Commercial Arrangement does not amount in form to a Treaty, and therefore not requiring the Sanction of the Senate to make it complete; I determined to exercise the full power vested in me by the late Executive, and give the complete and definite sanction of my Government to the same, so as to give to it immediate effect here and in Texas, as you will see from the Counts Communication was the Kings desire. I was also anxious to have the matter finally arranged, as soon as possible, in order that it might be made known publicly in the United states in time to influence the United States Bank in coming to a decision upon the subject of the Texian Bonds, which they had under Consideration. I therefore after a full Consideration of all the circumstances addressed the following reply to the Counts communication.

Paris, November 7th 1838

The undersigned agent of the Republic of Texas, has the honor to acknowledge the receipt of his Excellency Count Molés communication of the 2d inst. announcing to him that the King of the French has determined to enter into a commercial arrangement with the Government of Texas in accordance with the proposition of the Undersigned of the 1st of October last, and proposing the following terms.

"En attendant que les Relations mutuelles de la France et du Texas soient réglées d'une manière complette et définitive, les Citoyens, les Navires et les Marchandises de chacun des deux pays jouiront, à tous égards, dans l'autre, du traitement accordé ou qui pourra être accordé par la suite à la nation la plus favorisée, et conforme, en outre, aux usages respectifs."

The Undersigned being fully authorized and empowered by the Government of Texas, to make and complete a commercial arrangement with the Kings Government does hereby agree to, ratify, and [illegible] his Government, the terms as above set forth.

proposed by the Kings Government for regulating the Commercial intercourse between France and Texas, until the same shall have been more formally and definitely arranged between the two nations.—

The Undersigned begs leave to renew to his Excellency Count Molé the assurance of his most distinguished consideration

(Signed) J. Pinckney Henderson.

His Excellency Count Molé

&c. &c. &c.

Had not so many weighty circumstances concurred to induce me to take the course I have in this Matter, I would not have agreed that the arrangement should go into effect, without first receiving the sanction of the new Executive.— I the more readily concluded to take the course I have, because the terms of the arrangement are as favorable to Texas as the President could desire and such as I am convinced will meet with his entire sanction.

Cause of accepting the terms of Commercial arrangement with France.

You will see that the arrangement is entirely based upon the National existence of Texas, independent of her present position towards Mexico, on the consideration that she has not yet been formally recognized by France as a Nation, separate and independent of Mexico. It is therefore much more advantageous than the arrangement which I made with England. That arrangement is founded upon the supposition that Texas is still a part of Mexico; and the British Government have consented to shut their eyes to the true situation of Texas, and allow her vessels to enter British Ports under the stipulations of the Treaty between England and Mexico. In the above communication from Count Molé, you will see he speaks of Texas as a Nation, and her authorities as a Government.— I am fully persuaded that the King will recognize Texas immediately upon the receipt of the report of the Agent who has been sent to Texas, provided he reports favorably of her situation, and provided also that they do not previously settle their difficulty with Mexico.

I have just received from Mr Jones, the Texian Minister at Washington, a communication announcing to me, that he has, under instructions from the President, formally withdrawn the application of Texas for admission into the Union of the United States. Immediately upon the receipt of that information which was rendered official with me by a former communication from the Secretary of State, and considering the influence it might have upon this Government, when they came finally to pass upon the question of recognition, I communicated the fact to Count Molé as follows.—

Paris November 12th 1838.

The Undersigned Agent of the Republic of Texas has the honor to inform His Excellency Count Molé the Minister of Foreign affairs &c. that he is instructed by his Government to make known to the Kings Government that the application heretofore made to the Government of the United States by Texas to be admitted into the Union of the United States, has been formally and absolutely withdrawn by the Texian Minister at Washington in pursuance of instructions from the Government of Texas.— The Undersigned regards as incumbent upon him, and gladly avails himself of this opportu explain to the Government of the King, the apparent inconsistency while Texas was applying to another Government to be a co Independent Nation, she was at the same time the Union of the Un

and

resolved to make application to be annexed to the United States. That resolution was entered into soon after her separation from Mexico and at a time when Texas regarded her contest with Mexico as doubtful in its result. She was also aware, that should the Government of the United States agree to receive her under their protection, the contest would be immediately terminated, and her people become at once, a rich and flourishing community. - Accordingly the Texian Minister at Washington under instructions from the President, soon after the formation of the present Government of Texas, made a formal application to the Government of the United States, to annex Texas to that Government as one of the States of the Union. That proposition was rejected by the President of the United States in a few weeks after it was made, but not before the people of Texas had at least become indiferent on the subject. Events which occured in Texas and Mexico soon after the former declared herself independent of the latter, - Such as the defeat and capture of the Mexican Army in Texas, together with General Santa Anna, the Commander in Chief and President of Mexico - the embarrassed situation of the Treasury of Mexico - the rapid increase in the population of Texas - these combined with other causes, convinced Texas, that she not only had every necessary element to form an independent Government, as well as the power to defend herself against Mexico, but that she would become the invading power in the event of a continuance of the War. The people and Government of Texas, after fully considering the matter, saw the many disadvantages to which they would subject themselves by the proposed annexation to the United States. Amongst the greatest of these, was the protective tariff laws of the United States, enacted exclusively for the benefit of the Northern States and to protect their Manufactories, and which have so long oppressed the Southern Cotton growing States of that Country. - Knowing that as a Government Separate and independent of the United States, they could invite every nation of Europe to enter her Markets with their goods upon equal terms, that they might purchase of those who could supply them upon the most favorable terms, and take in exchange the produce of their lands, they rejoiced that the President of the United States had refused to treat with their Ministers for their annexation to that Government.

To Count Molé informing him of the withdrawal of proposition for annexation to United States.

When the President of the United States, by the Secretary of States of the United States informed the Ministers of Texas of his determination in that regard, the Government of Texas considered that the proposition had been finally disposed of. And so it rested, until the spring last past, when some of the Members of the Congress of the United States from the South, anxious to have Texas annexed to the Union, in order to counterbalance the power of the Northern Tariff States, and give to the Southern States a majority of Members in Congress, again brought the question up by proposing a resolution to Annex Texas to the United States. Upon being informed of that fact, the Senate of Texas passed a resolution requesting the President to instruct their Ministers at Washington to formally, finally and unconditionally withdraw the application for the Annexation of Texas to the United States, which he did as above stated. Hereafter the relations between Texas and the United States will be the same as between other nations of the earth.

The Undersigned avails himself of this occasion to renew to Count Molé the assurance of his very high regard and most distinguished consideration.

(Signed) J. Pinckney Henderson.

His Excellency Count Molé &c. &c.

I shall at an early day make the same known. &c.

the British Government through their Ambassador at this Court.

I have the honor to be Your Most obedient and very humble servant

J. Pinckney Henderson

Legation of the United States

Houston Nov 10th 1838.

Sir, In your letter of the 23d June last, in reply to a communication of mine transmitting a circular from the Treasury Department of the United States, I was informed "that the stipulations indicated by the Circular would be observed by this Government;" and I entertained the confident belief that the necessary orders had been given to your fiscal officers to that effect. I have learned, to my surprise, that, contrary to your assurances, the tonnage duties are still exacted in the Ports of your Republic, upon vessels of the United States, while those of Texas are, in our Ports admitted to the full benefits of the stipulations in question.

Labranch to Secty of State relative to Tonnage paid by U. States vessels.

I have it in charge from my Government to lay this representation before you, under the expectation that such instructions will be given to your Fiscal Officers as will ensure the exact fulfilment of the 5th and 6th Articles of the Treaty with Mexico. I am also directed to apply for restitution of the amounts of all discriminating tonnage duties which have been levied upon vessels of the United States since the 5th of April last. This is but an act of simple justice as the money paid has been exacted without regard to a positive understanding and in violation of the principles of reciprocity.

With sentiments of the highest respect, I am Sir,

Your Obt Servant.

Alcée La Branche.

Hon. R.A. Irion

Secretary of State, of Republic of Texas.

Texas Legation

Washington 16th Nov 1838.

Despatch No 41.

Sir,

I have waited, and delayed writing you until the arrivals here of the letters brought by the Packet Columbia of the 22d ult.mo, in hopes of receiving letters from the Department by that opportunity. None however came to hand and the last communication which I have received was your despatch under date of the 7th of September ultimo, the receipt of which I had the honor to acknowledge in a former despatch.

From Anson Jones, forwarding the ratifications of Treaties.

I have had safely packed in a box the ratifications of the Treaties of Indemnity, and of Limits with this Government, and forwarded the same to you through our Consul, Mr Henry H. Williams of Baltimore and directed to the Care of Messrs McKinney & Williams of Galveston. The box was sent by Mr Williams per the Schooner Axis from that Port for Galveston on the 7th Inst, in the Charge of Capt John Allen her Commander, who promised to take it in his Cabin, and deliver it as directed.

Hoping that these may come safely to hand and be found in due form, I remain, with the highest Respect, Sir,

Your Most obedient Servant

Anson Jones.

Hon

R. A. Irion

Secretary of State

of the R

2.

Paris November 23d 1838.

Dear Sir.

Since my last despatch to you nothing of importance has transpired. I still await the report of the Agent whom Genl Lamar has sent to Texas. I find that it will be necessary for me to have letters of credence from Genl Lamar the present President of Texas; to the Governments of France and England. I have letters from Genl Houston to the King of France and Queen of England, but inasmuch as I shall not obtain leave to deliver them until after General Lamar is inaugurated (if at all) it will be necessary for me to have others from the then President of Texas, such is the custom in this Country. It is also necessary that I should have a letter of credence to the Queen of France and the Queen Dowager of England. And as I may need the letters accrediting me to this Court in a couple of months I must request you to forward them to me as soon as possible. The letters which I have from General Houston are blanks and only signed by the President without being countersigned by the Secretary of State and having attatched thereto the great seal of Texas as is necessary to make them unobjectionable. In attending to this matter you will much oblige me by asking the President to sign his name at the bottom of the first page of each sheet of fine letter paper, to which you will please attach the Great Seal of the Republic and countersign your name. Please place the great seal on with wafers as it will look naked without. I am thus particular because the blank letters forwarded to me from Texas heretofore are deficient in every particular except the Presidents name. I request you to send them blanks in order that I may adopt the most approved form for the letters. The first page of a sheet of letter paper will be sufficiently large to contain a letter of the kind necessary. It will be necessary to have three for each Court viz, one for the King (him) one for the Queen and one to forward to the Minister of Foreign Affairs for his inspection and approval, before I can have leave to present the Original to the King &c. the same in England. You are doubtless aware that much, very much importance is attached to matters of form here, and the least deviation from the established forms is fatal to any act. By having the letters sent as above I can avoid every possible difficulty. I am in great haste, as I write this whilst the American Consul waits to close his letter bag.

Your Most obedient Humble Sert
A. Dinsmoor Henderson.

Hon.
Secretary of State
Republic of Texas.

Henderson to Secty of State requiring blanks Letters of Credence to Court of France and England.

Washington 26th Novr 1838.

Dear Sir.

I have received the enclosed Packet for "the President of Texas" from Mr Edwin C. Watmough of this city with a request that I would forward the same. It is from the American Consul at Jamaica, but I am entirely ignorant of its contents, and in compliance with the request I now forward the same to you

I have the honor to be with the highest regard
Your Most obedt Servant
Anson Jones.

Hon
R. A. Irion

Legation of the United States,
Houston Dec 5th 1838.

Sir

I have the honor to call your attention again to my note of the 16th ultimo, and solicit an answer as early as possible.

With great respect
Your obedient Servant
Alcée La Branche,

Hon'ble
R. A. Irion
Secretary of State of the
Republic of Texas.

Texian Legation
Washington City 29th Dec 1838.

Sir

I have this day drawn on you in favor of Messrs McKinney and Williams of Galveston, for twenty five hundred Dollars, at sight, it being the amount of two Quarters Salary due me on the 25th Inst as Minister Plenipotentiary to this Government, which please accept and charge to my account as such

I have the honor to be with the highest regard
Your obedient Servant
Anson Jones.

To
The Secretary of State
of the Republic of Texas.

Legation of the United States
Houston, Janry 15th 1839.

Sir

I have seen by an extract from the Natchitoches Herald of December 16th, that General Rusk, at the head of one hundred men, have entered the Territory of the United States and proceeded as far as Shreveport, that some of the Citizens of that place as well as the Indian Agent there, Mr Sewall, had been Wrestlenex by him. This statement is of such a character as to require that I should demand of this Government an explanation of the extraordinary conduct imputed to that General

I avail myself of this opportunity of assuring you of my distinguished consideration and esteem

Alcée La Branche.

Hon'l B. E. Bee, Secretary of State
of the Republic of Texas.

Texian Legation
Washington Janry 21st 1839.

Despatch No 43.

Hon'l Barnard E. Bee Secretary of State
of the Republic of Texas.

Sir

I have the honor to acknowledge the receipt of two Communications, being Mr Irion's despatch of 29th November, and yours of the 26th of December last.

Anson Jones to Genl Bee, Secty of State, relative to Sundry matters

Agreeably to your instructions I addressed a note the 19th instant to Mr Forsyth, Secretary of State of the United States informing him of the change in the Administration and of the assurances from this Excellency the President of Texas to the Government of States. In his reply of the same date acknowledging the receipt of the note he states as follows. "I have laid

him by His Excellency the President of the Republic of Texas"

Enclosed herewith copies of two communications made by me to Mr Forsyth under date of 26th Nov. and 31st December last on the subject of the hostile and other Indians residing upon the Frontier of Texas and the United States, with the reply of Mr Forsyth under date of the 30th of December ultimo. As this is a subject of the greatest importance to Texas, and as the views entertained by the Government of the United States in regard to its obligations under the Treaty of the 5th April 1831 appear to me somewhat extraordinary, I beg leave to refer the matter to the consideration and decision of the President, and shall await his instructions before proceeding any further in the correspondence on this subject.

relative to communication with Mr Forsyth.

I have the pleasure to inform you that the Congress of the United States have passed a bill to carry into effect the Convention between the United States and Texas for marking the boundary between them, which having been approved has now become a law. It provides for the appointment on the part of this Government of a Commissioner, a Surveyor and 4 Clerks, with Salaries of $500, 2,000 and 1200 respectively, and appropriates $10,000, for the purpose of purchasing instruments and defraying the other contingent expenses of running the line. In an interview with Mr Forsyth about a week since he informed me that he thought the President of the United States would immediately make the nominations, and that so soon as this was done he would inform me of the fact. I hope therefore, in the course of a very short time to be able to communicate to you the appointment of these officers.

relating to running and marking the boundary line.

In the Despatch of Mr Dixon of the 29th Nov. he informed me that "Shelby Corzine having declined to accept the appointment of Commissioner on the part of this Government, the President during the recess of Congress appointed Charles S. Taylor in his place on whose nomination the Senate have not yet acted." In consequence of this I have not made any notification to the Government of the United States of the Appointment of a Commissioner on the part of my Government. It will be important that I should be informed of the appointment of a Commissioner and Surveyor that I may notify this Government officially of his name so that any delay may be prevented in this matter on our part.

In Mr Bartlett having left here about the Middle of October last, I have until recently been without any assistance in the duties of this Legation. Mr Sandy Davis formerly attached to the Legation in the Capacity of Secretary to General Hunt having lately returned to Washington has consented at my request to discharge the duties of Secretary of Legation, until the one promised shall arrive.

acting Secretary of Legation

Exequaturs have been issued by this Government to Thomas Toby, Henry M. Williams, and William Bryan as Consuls of the Republic of Texas, and made public in the manner usual in the United States.

exequaturs.

The receipt of my despatch No 61 under date of the 16th Nov. last informing you of the transmission of the ratifications of the two Conventions between Texas and the U. States has not been received; I hope however, that the ratifications have come safely to hand.

ratifications

The Congress of the United States now in session have thus far been almost exclusively occupied in the discussion of the proposed of the defalcations of Mr Swartwout and others.

was made a few days since, on motion of Mr Johnson

in relation to an alledged invasion of the territory of this Government by an Armed force from Texas; which information the President has transmitted to the House. So soon as I can procure a copy of this document I will transmit the same to you.

Armed force going into N.O.

I have the honor to be with the highest regard
Your most obedient servant
Anson Jones.

Anson Jones to Jno Forsyth Nov 26th 1838.

Texian Legation
Washington Nov 26th 1838

Sir, Information has been recently received from Texas that various tribes of Indians, who, at different times have emigrated from the United States have for some time past been committing murders and other hostile aggressions upon the inhabitants of that Country, and that a combination is now formed between most of these tribes, and others originally residing within its borders, for the purpose of commencing a general warfare. For this object Delegates from several other tribes are now collected upon the River Trinity, from which point they are preparing to assail the settlements of the whites. By information from other though less authentic sources there is reason to believe that this hostile combination extends to a portion of some of those tribes now residing upon the borders of the United States, or on their way thither, and that as soon as the war whoop is raised by those already assembled, they will receive large and powerful accessions to their numbers from those tribes.

Anson Jones to Jno Forsyth relative to the various tribes of N.W. States Indians in Texas.

To these acts of hostility they have been incited by none on the part of the Government or people of Texas, but it is believed are instigated solely by their native and hereditary hatred to the whites, by their desire of plunder, and by the encouragement held out to them by the Mexican Authorities and their emissaries, by whose inhuman policy they have been promised future possession of the Country on the condition of their exterminating the Texians or expelling them from it.

The undersigned Minister plenipotentiary of the Republic of Texas, has the honor to submit this information to the Hon. the Secretary of State of the United States, and earnestly to request that suitable measures may immediately be taken by this Government to interpose a force sufficient to prevent the threatened hostilities on the part of its Indians, to inflict exemplary punishment for those already committed, to cause the removal of the intended savages beyond the known or disputed limits of Texas, and to induce their future peaceful and good behaviour towards its Government and people.

And inasmuch as the incursions and settlement of various warlike tribes of Indians from the United States within its borders have been forcible, and unauthorized by the present or former Government of Texas and in contravention of the established Comity of Nations as the stipulations of the 33d article of the Treaty of the 5th April 1831, between the United States and Mexico, (which treaty is now binding upon Texas so far as her particular territory is concerned,) the undersigned on the part of his Government most solemnly protests, as well against the invasion and settlement of those Indians, as for all reclamations which may injuries that have been or shall be sustained by Texas in con-

Protest of Minister Jones.

The undersigned [illegible] Plenipotentiary of the Republic of Texas embraces this occasion to renew to the Secretary of State [illegible]

distinguished consideration and regard

signed Anson Jones.

Hon.t John Forsyth.

&c. &c. &c.

John Forsyth to Anson Jones Dec.r 3.d 1838.

Department of State

Washington 3.d Dec.r 1838.

Anson Jones Esq.r

Minister Plenipotentiary of the Republic of Texas.

Sir

I have had the honor to receive your note of the 26.th instant stating that various tribes of Indians who had emigrated from the United States are combining with others originally residing within the borders of Texas for the purpose of committing aggressions upon the inhabitants of that Country, and that there is reason to believe that the combination extends to Indian tribes now within the limits of the United States; and requesting the interposition of this Government in preventing the threatened hostilities on the part of the last mentioned tribes, the infliction of punishment for those already committed, the removal of the intruding savages beyond the limits of Texas, and the adoption of measures for their peaceful behaviour in future.

J.n.o Forsyth. to Doct Jones reply.

A copy of your note has by direction of the President been transmitted to the Secretary of War, who being charged with the superintendence of Indian affairs will adopt such measures as may appear necessary for the fulfilment of the obligations of the United States under the treaty referred to in your note. With regard to questions arising from the past or future emigration of Indians from the United States into Texas, I cannot better acquaint you with the views entertained by this Government on that subject than by referring you to the enclosed Copy of a communication addressed by this Department on the 22.d of October 1835, to the Diplomatic representative of Mexico near the United States.

I avail myself of this occasion to offer you renewed assurances of my great consideration

(Signed, John Forsyth.

From Mr Forsyth to Mr Castillo Chargé de Affaires from Mexico

Department of States

Washington 22.d Oct.r 1835.

Señor Don J. M. de Castello y Lazgus.

&c. &c, &c.

1 Copy. Mr Forsyth to Castello, Mexn Chargé de Affrs. 1835 Encl.d in Doct Jones

The Undersigned Secretary of State of the United States, has the honor to acknowledge the receipt of the note of Mr Castillo Chargé de Affaires of the United Mexican States dated the 14.th Inst relative to alledged encroachments of Creek Indians from the United States, upon the Mexican territory.

A copy of Mr Castillo's note having been referred to the Secretary of War, who is charged with the superintendence of Indian Affairs, that Officer has stated that no information has been received by the War department showing that the Creek Indians from Alabama are removing into the Mexican possessions; that there has not been, during the present year, any emigration of Creek Indians from Alabama, and that the

discountenanced the project of those Indians for removing into the province of Texas.

From this it would appear that the politicae Chief of Nacogdoches has been misinformed. But, should it be otherwise it may be doubtful whether under the 33d article of the treaty, the intervention of the United States could be claimed or offered unless the Indians manifested some hostile intents. If Indians going from the United States or elsewhere should migrate to the Mexican territories with peaceable intentions it will be for the Mexican Government alone to decide upon their admission or exclusion.

Though the general terms used in the representation of the Politicae Chief of Nacogdoches would justify the President in expecting a more explicit statement, showing at what times and places and under what circumstances the Indians are alledged to have entered the Mexican territory, he has preferred directing this explanation to be made without delay in order that there may be no room for doubt as to his views on the subject.

The Undersigned avails himself of the occasion to offer M. Castillo renewed assurances of his distinguished consideration.

Signed John Forsyth.

Anson Jones to John Forsyth

Texas Legation

Washington 31st Decr 1838.

Sir, I have the honor to enclose you herewith, by direction of the Government of Texas a copy of the journal of one Don Pedro Julian Miracle an officer and emissary in the service of Mexico. This individual was killed about the 20th August last near the Cross Timbers on Red River by a citizen of that Country and the original of the copy above referred to written in the spanish Language was found upon his body.

Bk Jones to Jno Forsyth concerning the death of Miracle, and his convey. Army.

By reference to this Journal it will be seen that an extensive Indian and Mexican conspiracy against Texas which is perhaps intended also to involve the South western portion of the United States, exists under the direction of his Excellency Don Vicente Filisola the Commander in Chief of the Mexican Army.

ion with the— Indians again Texas. &c. &c.

Miracle travelled at the hottest season of the year upwards of six hundred miles of our frontier among various Indian tribes and was, after the declaration of his object and purposes treated kindly by all of them. His movements when viewed in connexion with the fact that in may and June last, Agents of Sundry tribes of South American Indians visited Matamoras and procured from the authorities there large quantities of ammunition and returned about the time Miracle passed through Texas, indicate that in all probability he was on his way to the great Council of Indians who have been removed west of the Mississippi which was to have taken place in September last. It is reasonable to suppose that the Mexicans finding that they are unable to conquer Texas in order to gratify their vindictive passions against the Texians would willingly see it desolated and again fall into the hands of the Savages. Could Mexico by the efforts of her emissaries produce simultaneously an Indian war on the frontier of Texas and the South western frontier of the United States, such a result might be possible; or if the object could not be fully attained, the most would, as they are aware, occasion serious calamities to the settlements those frontiers, with but little expense or trouble to Mexico.

This journal clearly shows that Mexico does not [illegible] of cause

American Indians to fight against

ces attending it

last and the marching of Miracle to the villages of those bands in Texas and then leaving them and pursueing the direct rout to the Cherokee Country in Arkansas several hundred miles before he was killed induce those in Texas best acquainted with the Indian character and the peculiar relations which exist between them, the United States and Texas, to suppose that Miracle was sent, or going, to attend the great Council in Missouri for the purpose of combining the Arkansas Indians with those of Texas for the conquest of the latter country.

The discontented Indians of Arkansas are continually removing to Texas and joining those of their tribes who preceded them thither, which is gradually increasing their numbers, and consequently the danger to Texas in case of an open rupture with them. The hunting grounds of the Colorado, Brassos, Trinity and Red Rivers and their tributaries present strong allurements to the bold, enterprizing, and somewhat civilized Indians of Arkansas, occupying as they do districts less favorable to the enjoyment of their pursuits and dispositions. It is therefore, most sincerely hoped by the Government of Texas that this circumstance will not be received with indifference by the United States, and that the greatest vigilence and precaution will be directed on its part, to prevent in future, such emigration to Texas.

I am also instructed by my Government to represent that the Indian disturbances in Eastern Texas have been aggravated by the uncertainty of the true boundary line and the absence of a Military force at the most eligible points to restrain the United States Indians from crossing Red River into Texas, which they now do at pleasure far above Fort Towson, without hindrance.

In contravention of treaty + + + + + + + + stipulations, the Caddoes, numbering about three hundred warriors, shortly after the sale of their lands to the United States in 1834 availing themselves of the unsettled state of this boundary and of other circumstances favorable to their enterprize, without asking or obtaining the consent of the Government of Texas, removed to it and associated themselves with the Prairie Indians; and have been ever since, with the exception of a few short intervals committing depredations on our frontier settlements and are at this time combined with them and jointly waging an active marauding warfare against those settlements.

The injuries which these perfidious Indians have inflicted, severe it is true, are small when compared with the consequences which will necessarily ensue should they be allowed to remain among the wild Indians. The latter when the former went among them, carrying rifles, powder and lead in abundance which had been obtained by the sale of their lands on Red River to the United States, were but little acquainted with the use of fire arms. Since then by the facilities offorded them by the Caddoes they have become tolerable hunters, and are much more efficient in war, and will ere long should such a state of things continue, be equal to North American Indians.

These and other concurrent circumstances and considerations, while the propriety of the expulsion of these intruders is indicated, render it extremely desirable by the Government of Texas that the boundary line between it and the United States should be run with as little delay as practicable.

I avail myself of this occasion to renew the assuran-

Hon.ble John Forsyth
Secretary of State
of the United States.

(Signed) Anson Jones.

True Copies from the Originals

Anson Jones.

Paris January 26th 1839

To
The Hon.ble Secretary of State,

Sir, I have not yet learned the names of the Gentlemen who form Gen.l Lamar's Cabinet, and therefore know not to whom I ought to address this letter.

Letter. Henderson to Secty of State relative to dissolution of French Cabinet No. 46

Every thing has been in confusion with this Government for the last ten days, the Ministers having resigned in consequence of the vote of the Chamber of Deputies upon the various items in the address of that body to the King Censuring them for a bad administration of the Government, particularly in regard to their intercourse and connexions with Foreign Governments. The King has requested Marshall Soult to form a new Cabinet with himself at its head, but to retain Count Molé. The Marshall it seems has refused to enter into a coalition with any of the late Ministry unless they agree to make certain concessions of their opinions which they hitherto have refused to do. I hope that Molé will continue as minister of Foreign Affairs because he is now pretty well acquainted with Texian Affairs, and I think well disposed and should another person come into the Office at this time I fear it would greatly retard the business of my mission. I am still quietly awaiting the report of the agent which this Government has sent to Texas. As soon as they shall have received that report I will urge them to give me an immediate and definite answer to my application for the recognition of the Independence of Texas. I hope that you have since your instalment into office examined the several despatches which I addressed last fall to your predecessor, so that the President with your advice may know how to cause me to be instructed in regard to the several matters therein alluded to.

relative to ... British Claims.

And allow me again to call your attention particularly to the claims of British Citizens against Texas for Goods captured at sea, and again recommend their adjustment in the manner heretofore named in one of my formal Despatches. My Despatches up to this date will, I think pretty well acquaint you with the situation of the business of this Legation.

to return to Texas.

I requested leave of General Houston last summer to return to Texas, (leaving the business here and in London in charge of Mr McIntosh) as soon as the two Governments shall have acknowledged the Independence of Texas which leave I obtained through the Secretary of State. It is still my determination to act upon that leave, unless General Lamar otherwise commands me, and upon which subject I wish to hear from you as soon as possible.

asking a remittance of Money.

I am greatly in need of a few thousand dollars, and must beg of you to cause the Government to relieve me. Mr McIntosh requests the same favor of you. We have both been living on our own private resources for the last seven or eight months, and it is extremely inconvenient to both of us to draw money from that source so far from home, and particularly inasmuch as we did not have time before we left America, to make arangements which might have enabled us to do so with less inconvenience than we now do. The truth is, I am compelled to spend more than my salary amounts to. If I was at Washington I might get along for but here things are quite different. Do relieve us, or I do

Ministers to each of the Courts of Paris and London after they recognize Texas? In that event Mr McIntosh wishes to fill one or the other of the places. He is well qualified and intimately acquainted with the business of both Legations. I will however write to the President on this subject. I hope I shall be ready to leave for Texas about June next.

I have the honor to be
Your obedient Servant
H Henderson.

A La Branche relating to fugitive Case. —

Legation of the United States
Houston 29th Jany 1839.

Sir, Your note of this evening has just come to hand with the accompanying documents in relation to the demand of the Governor of Mississippi for the delivery of one Johnson Cook, charged with the murder of Silas D. Reeves, and now in actual custody in this Republic. As the Governor of Mississippi has thought proper to make a formal demand to his Excellency the President for the delivery of said Cook, and as the President desires to deliver him up only upon application from me, I have examined the papers referred to, and in furtherance of the views of Governor McNutt, I have to request that said Johnson Cook be delivered in the manner and form required by him.

I have the honor to be with great consideration
Your Obedient Servant.
Alcée La Branche

Hon.ble Barnard E. Bee
Secretary of State, of the Republic of Texas.

Mr. Austin Bryan announcing his arrival at Washington.

Washington City Febry 3d 1839

To
The Hon.ble Barnard E Bee.

Dear Sir. This is to inform you of my safe arrival in this City. I arrived here the 1st Instant and found the Ministers Mr Jones absent on a visit to N. York, Mr Harris the acting Secretary informing me Mr Jones will be here in a few days, when I will be formally introduced as attatched to the Texian Legation at this City.

Respectfully Your Obdt Servant
M. Austin Bryan.

The ballance of the above letter being of a private character, it was considered unnecessary to record it.

Henderson to Genl Lamar. relating to things in general concerning Texas.

Paris, February 26th 1839

My dear Sir,

Having been confined to my bed for several weeks with inflamation of my lungs and being still confined from its effects, I am now barely able to pay my respects to you by writing a few words.

Things remain here as they were when I last had the honor of addressing you. I promised Count Molé as I heretofore informed you that I would let matters rest until he received the report of the Agent which he ordered to Texas and therefore I cannot urge recognition again until that report reaches him. I very much wish that he had received it before this time, as I think now would be a most favorable moment to act. I have lately alluded to the subject in a general conversation with him, hoping that he would relieve me from my bond by taking up the subject himself, but he seems to be determined to let it rest until he can act upon evidence furnished by that Agent.

The Government is a good deal alarmed by a report which has reached here that Mexico has issued letters of Marque &c. The King dissolved the Chamber of Deputies lately, the election for another Chamber takes place in

relative to Mexico issuing Letters Marque.

days, when I hope the Ministerial party will succeed by a Majority sufficiently large to enable them to act freely and independently upon all questions. Should that be the case, and should their Agent make a report that will justify him in it, I have no doubt that the King will speedily recognize Texas. If the Letters of Marque which Mexico has issued are general in the powers they confer, viz. to capture &c. all enemies vessels and goods, will not the Commerce of Texas suffer? I hope she may soon have vessels of her own sufficient to protect her Commerce.

I fear that England will not recognize Texas so long as Canada continues to threaten to revolt. Lord Durham in his communication lately to the Queens Government upon the subject of Canada and its Government — the causes of the disturbance &c. &c. gives as one strong reason why the rebellion took place in Canada the example of the conquest made of Texas by the people of the South western States of the United States. Several other Noble Lords have taken the same position in debating that question. I have always been of opinion and have so expressed it to General Houston, that that question would continue to and had greatly retarded the final action of the British Government on the question of Texian Independence.

I mentioned to the Secretary of State some time since that I wished to return to Texas as soon as I can accomplish the object of my Mission. I would dislike to return before that event; I cannot think however of remaining here as my health has suffered severely from this and the Winter climate of England. Mr. McIntosh whom you know, is desirous of receiving the appointment to this or the Court of St James after I leave. He is well qualified and well acquainted with the state of business at both places. I have instructions or leave from the former Executive to leave the business here and in England in his charge after recognition, in case I wish them to return upon which I shall act unless I am otherwise instructed by your Excellency. I also requested him to send me some Money which I hope he has had in his power to do, as we greatly need it. We have been living entirely upon our own private resources for the last ten Months and my expences have been so much greater and my stay so much longer here than I expected when I left America that it has been with the greatest difficulty that I have been able to get money sufficient to pay expences, and have only done so at a great sacrifice.

recommending Mr. McIntosh as Minister to one of the Courts of Europe.

want of Money

I am so weak from the effects of blistering, bleeding &c. &c. that I can scarcely hold my pen, I must therefore conclude this very disinteresting epistle, and write more at length to the Secretary of State on tomorrow provided I am able

Your most Obedient Servant &c &c
J. Pinckney Henderson.

Genl M. B Lamar, &c &c,

Paris February 27th 1839.

My Dear Sir

I am now slowly recovering from a very severe attack of inflamation of the lungs and threatened hemorage, an affliction which I have heretofore suffered under. I am still confined to my room but hope to be out in a few days. I cannot spend another winter here with safety. My constitution needs the more genial climate of Texas. I disliked to return without accomplishing the object of my Mission, or I would not have spent this winter here.

Henderson to Col Bee, relative to Sundry Matters

I am rejoiced to see that General Lamar has made choice of the men you name in your communication of the 1st Inst for his Cabinet. It is the guarantee of the success of his Administration and added to his merit cannot fail to [illegible] matter connected with

of us since I left Texas.

I am most anxious to hear of the return of the French Agent from Texas to the United States, as my tongue is now tied by the promise I gave Count Molé, Viz, to rest quiet until their agent reported upon our situation &c. I am truly sorry that their Minister at Washington did not cause him to set out for Texas at an earlier day as his report in that case might have reached here before this time, which would have placed it in my power to urge recognition at this time when the King and whole Nation are certainly much exasperated at the conduct of Mexico, and which will be not a little increased when it is certainly known that she has issued letters of Marque to Yankee and English Cruizers. This Government now contemplates much difficulty from their Mexican relations and I think will be well disposed to recognize Texas, provided their agents report will justify that step. I hope to be promptly informed by you of the return of that Agent to the United States that I may know when to resume my entreaties with this Government. I think that I have Count Molé so bound up by promise that he will feel himself obliged to answer me Yea or Nay upon the subject of recognition as soon as he receives that report. I have not urged the question in any shape since I promised him to remain quiet for that report; he cannot therefore refuse to perform his obligations &c &c I have once or twice lately alluded to the matter by way of giving him an opportunity of volunteering a more full and formal Communication on the subject provided recent events had so disposed him; but he seems to be well determined to hear something more of Texas from one of the Kings officers. The King you know has been compelled lately to dissolve the Chamber of Deputies, and the elections for a new Chamber take place in a few days, consequently the present Ministry wish to delay action on all important questions until after the elections, fearing they might prejudice their cause which they under the present state of affairs seem confident in.

on the subject of recognition by France

In my last to the "Secretary of State" I requested him to furnish me with some money from the Treasury of Texas, which request I hope you have been able to comply with, as I am greatly in need, and at this distance from home you know a Texian has but little credit. If you cannot otherwise arange it, do ask the President for leave to instruct the agents who will be sent to the United States or Europe to help me with a few thousand dollars when they shall have succeeded in selling the Bonds of Texas. I am glad to see that General Hamilton has been appointed to that business, he can succeed if any person can. I have remained here so much longer and my expences have been so much greater than I expected when I left America that I feel greatly embarrassed.

requesting of Money.

Tell friend Hunt that I will write him as soon as I feel myself able. I am now so nervous and weak from bleeding, blistering &c &c that I can scarcely hold my head up.

Truly Yours
S. Pinckney Henderson.

Col B. E. Bee, &c &c.

Col B. E. Bee &c. &c

Paris March 18th 1839.

My Dear Sir,

When last I wrote you I was ill with inflamation of my Lungs, I am still suffering under the same affliction somewhat modified in its severity.

I make this communication in the shape of a private letter inasmuch as I have no news of sufficient importance to communicate in a formal despatch.

You have heretofore been fully informed in regard to my position &

that I cannot move until the Agent of France who has been sent to Texas makes his report; I feel well assured however that the present Government of France, (the Molé Ministry) is prepared to recognize Texas provided that Agent makes a just report. The King too fully understands the question and is individually favorable to recognition provided facts will warrant that measure. Genl Cass the United States Minister called upon me a few days since and informed me that he had on the day previous held a conversation with the King upon the subject of Texian affairs and my position here and that his Majesty informed him that his Agent had gone to Texas for the purpose of looking into and reporting her situation &c.&c. and that he expected his Minister of State would soon hear from him; that matters of such importance as the recognition of a newly formed Government required much investigation and serious deliberation which always caused considerable delay, but that he was prepared in mind to make such a disposition of the question as might seem just and proper to his Ministers after being fully informed by their own officer now in Texas. Genl C. held that conversation with the King in compliance with a request by myself some weeks since. I requested him to do so because I knew that the King and his Ministers would communicate more freely with him as the Representative of the U. States, which has already recognized Texas than with myself or any other person. Genl C. was convinced from all that passed that the King is favorably disposed towards Texas. You will have learned ere this that the King dissolved the Chamber of Deputies some weeks since and ordered a new election to be held which took place on the 2d and 3d inst and resulted in a defeat of the present Ministry by a majority (Variously estimated at from 20 to 30) of opposition candidates being returned. I lament the change which must inevitably take place in the Cabinet soon after if not previous to the meeting of the Chamber which takes place on the 26th inst. I regret it not because I suppose the new Ministry will be opposed to the recognition of Texian Independence, but because I shall in all probability be compelled to travel over the whole ground over which I have heretofore so slowly passed, to bring the question before the Molé Ministry as it now stands. The question may be entirely novel to the persons who will succeed the present Cabinet and unless they speedily bring it before the King who now fully understands the matter, I shall yet probably meet with considerable delay. I still hope however that their Agents report will arrive by the next Steam Packet from New York, and that the present Ministry may dispose of the question before they retire. That Packet is now expected daily in England, by which letters are brought for all parts of Europe. Should I have any reason to believe that that report has reached this Government by that source, I will not fail to urge a decision of the question immediately. I will again urge the British Government to give me a decisive answer upon the subject as soon as France shall have disposed finally of the question.

Henderson to Secretary of State on the subject of recognition by France, &c.&c.

Genl Cass' interview with the King, and its results

Election of new Ministry

I hope soon to be able in pursuance of your instructions to assure the British Government that full satisfaction has been awarded by Texas to the owners of the Eliza Russell, and also to answer their demands for the other alleged captures of British goods &c. as they will soon expect to have the matter definitively settled.

Eliza Russell &c.

I hope you have been able to send me some money according to my former request as I am in great want of it. Should Genl Hamilton succeed in the United States, or come to Europe please authorize him to help me to a few thousand as my private resources have been strained almost to breaking. Could I be in the United States where my productive property lies, I could make better arrangements, but I passed through the country on my way here without visiting North Carolina or Mississippi where my property is located and therefore must do by letter. I am still very

Want of money

P.S. Since writing this letter I learn

Despatch No 43.

Texian Legation
Washington March 11th 1839.

Hon. Barnard E. Bee
Secretary of State of the Republic of Texas.

Sir, Since my last communication under date of 21st Janry. I have had the honor to receive your five communications of the 14th and 21st of January last.

Anson Jones. Secty of State. relative to surveying the boundary, & the Indians. 2 No. Mr Forsyth. No. 16.

Mr Bryan who was the bearer of the former has arrived and having been duly presented to this Government as your director, has entered upon the discharge of his duties as the Secretary of this Legation.

The President of the United States has appointed the officers, authorized by the act of Congress for carrying into effect the Treaty of Limits for marking the Boundary line between the United States and Texas, although the appointments have not been officially communicated to me. Nothing now is wanting to the prosecution of this all important work but a similar appointment on the part of the Government of Texas. The difficulties which have already and are still growing out of the question of the unsettled boundary between England and this Country, and which are now seriously threatening a war between the two Nations, strongly exemplifies and enforces the propriety of having the question of our own boundary definitely settled without any further delay.

Agreeably to the instructions contained in your Communication of the 31st Janry, I have addressed the following note to the Secretary of State of this Government on the subject of our Indian Affairs.

Texian Legation, Washington 10th March '39

The Hon. John Forsyth, Secretary of State
of the United States.

Sir, I have the honor to inform you, by direction of my Government, that in consequence of continued Acts of hostility on the part of the Indians on the frontiers and within the limits of Texas, who have been powerfully excited by the Mexicans living at Nacogdoches, it is the intention of the President to act with great energy towards them, and that he has directed the communication of this fact to be made to you in order that the Government of the United States may take efficient steps to prevent any coalition on the part of the different tribes of Indians residing within their limits, with those in Texas.

J. W. Forsyth.

I embrace this occasion to renew to you the assurances of my distinguished consideration

(signed) Anson Jones.

To this communication no reply has been returned, as soon as one shall be received however I will transmit you a copy.

In the mean time, I have the honor to remain
Your Most obedient Servant
Anson Jones.

P. S. Since writing the above I have received from Mr Forsyth the following answer to my note of the 10th instant

Department of State, Washington
11th March 1839

Anson Jones Esqr
Minister Plenipotentiary of Texas.

Mr Forsyth Jones.

Sir, I have the honor to acknowledge the receipt of your note dated the 10th inst. and to inform you that a copy of it has been communicated to the Secretary of War by the direction of the President, that he may take such measures as shall be necessary to prevent any combination of the Indians [illegible] within the limits of Texas.

I avail myself of this occasion to renew to you the assurance of my high consideration

(Signd) John Forsyth.

Legation of the United States
Houston March 13th 1839.

Sir,

I have the honor to call your attention to a note dated January 29th from your predecessor in office, in answer to a letter of mine of the 15th of the same month, requiring of this Government an explanation of the conduct of General Rusk in violating the territory of the United States. You will perceive, Sir, that Col Bee, the then Secretary of State, for want of information, deferred making a full communication until he should be officially appraised of the proceeding of Genl Rusk. Believing you are able now to comply with that part of this letter I have to request a more full and satisfactory reply.

from A. La Branche to Secty of State relative to Genl Rusk's crossing the Boundary lines

An outrage of such a nature on the part of an Officer of the Government of Texas was far from being anticipated by the United States, and in their name, it devolves upon me to remonstrate against such a violation of their well known territory, trusting that the present Chief Magistrate of this Republic, in whose prudence and wisdom I have great confidence will take prompt and effectual measures to prevent similar occurrences for the future, and give positive orders to the Commanding Officers on that quarter to respect the territory of a neighboring and friendly nation. It becomes the dignity of the United States not to tolerate another insult of this kind, and they will be under the necessity of repelling by force the entrance of similar armed bodies of men into their territory, and so a collision between the troops of the two countries must ensue which would lead to consequences much to be deplored.

I avail myself of this opportunity of assuring you of my distinguished consideration

Alcée La Branche.

Hon'le
James Webb Secretary of State
of the Republic of Texas.

Despatch 44.

Texian Legation
Washington 19th March 1839

To the Hon'le
James Webb, Secretary of State
of the Republic of Texas.

Sir, Since my last communication under date of the 11th Inst being despatch no 43, an Exequatur has been issued by this Government to Walter Smith as Consul of Texas for the Port of Mobile. The circumstance of Mr Smith having made a direct application to the Secretary of State of the United States for an Exequatur, has given rise to a correspondence between Mr. Forsyth and myself; a copy of which is hereunto annexed. The course indicated by Mr Forsyth in relation to an application for an Exequatur appears to be a proper one, and is in accordance with general usage, and if adopted by the Department will prevent the occurrence of any future irregularity similar to the one that has occasioned this correspondence, which as is obvious, it would be desirable to avoid.

Anson Jones to Secty of State relative to Exequatur for W. Smith Consul for Mobile.

I also transmit herewith a copy of my letter to Mr Sm forwarding him his Exequatur, all of which I hope will meet the approbation of the President.

It is my great pleasure to inform you that the news papers that Col

daily expecting some intelligence from this Government in relation to this matter with instructions for my own direction. As yet however I am not favored with any communication on the subject and now beg leave respectively to request if none has been already sent, that it may receive your earliest attention, and that I may know the determination of the President in regard to Myself. Should my recal be concluded upon, I hope that a letter to that effect may, at the earliest convenient moment be transmitted to me for presentation to the President of the United States, as the courtesy due to to this Government will require the formality to be observed on my taking leave of it finally.

relating to his recal home

In case however the President should desire my longer continuence in this office, I am under the necessity of requesting immediate leave of absence to return home for a few Months in order that I may have an opportunity of attending to my private business, which in consequence of the short notice I had of my appointment to this place, was left by me last year in a wholly unsettled condition. Congress having adjourned, and there being no matter of importance pending between Texas and the United States, it is believed that the Secretary of the Legation will be fully competent to attend to such minor affairs as may present themselves in the interval, and consequently that no prejudice to the Country's interest would be occasioned by the absence of the Minister from Washington during the next few Months. I beg therefore that you will lay my requests before his Excellency the President and inform me at the earliest opportunity of his pleasure in regard to them.

I have the honor to be with great respect
Your Obdt Servant
Anson Jones.

Department of State
Washington 16th March 1839

Anson Jones Esqr.
Minister Plenipotentiary of Texas

Sir, Mr Walter Smith of Mobile has addressed a letter to this Department accompanyed by a Commission appointing him Consul of Texas for that place, and stating that he was not aware that your Government had a diplomatic Agent accredited to this, he had deemed it necessary to make a direct application for an Exequatur. As this application has not been received through the regular channel of communication, you are apprized of it in order that if you should desire it, an Exequatur may be issued to Mr Smith.

From Jn° Forsyth to A. Jones, conveying Exequatur for Smith.

I take this opportunity to suggest for the information of your Government that it is our practice to send the Commissions of Consuls to the diplomatic representative of the United States in the Country where they reside, with an instruction to him to apply for the Exequatur and, when received, to forward it with the commission, to the Consul at his post.

I avail myself of this occasion to renew to you the assurances of my high consideration.

Signed John Forsyth.

Texian Legation
Washington 18th March 1839.

Hon. John Forsyth
Secretary of State of the United States.

Sir, I have the honor to acknowledge the receipt of your note under date of the 16th instant, informing [illegible] Mobile [illegible] a letter [illegible]

States of the United States accompanied by a commission appointing him Consul of Texas for that place, and stating that as he was not aware that my Government had a Diplomatic Agent accredited to this, he had deemed it necessary to make a direct application for an Exequatur, and that as this application has not been received through the regular channel of communication, I was apprized of it in order that if I should desire it an Exequatur might be issued to Mr Smith.

A. Jones to Mr Forsyth—reply.

In reply I have the honor respectfully to request that an Exequatur may be issued to Mr Smith upon the Commission forwarded by him to your Department and made public in the manner usual in the United States.

In the mean time I shall hasten to communicate to my Government the suggestions which you have had the goodness to make for its information in the conclusion of your note above referred to in order that every future application on its part for an Exequatur may be directed through the channel which propriety and the usages of Nations have established.

I avail myself of the occasion to renew to you the assurances of my distinguished consideration

[Signed] Anson Jones.

Texian Legation
Washington 19th March 1839.

Walter Smith Esqr
Consul of the Republic of Texas
for the City of Mobile,

A. Jones to Walter Smith—forwarding his Commission & Exequatur as Consul to Mobile—

Sir, I had the honor yesterday of receiving a note from the Hon. John Forsyth, Secretary of State of the United States under date of the 16th Inst. informing me that you had addressed him a letter accompanied by a commission as Consul of Texas for Mobile, and stating that as you was not aware that my Government had a Diplomatic agent at this, you were under the necessity of making a direct application to him for an Exequatur.

As however this could not issue in accordance with the usual practice without a request through the regular channel of communication between the two Governments, I addressed a note to Mr Forsyth making that request on the 18th inst. in order that no delay might be occasioned in the matter. The Exequatur has accordingly been issued to you, which I now have the pleasure herewith to enclose.

I embrace the occasion to apprize you that since the recognition of the Independence of Texas by this Government somewhat more than two years ago full diplomatic relations have existed between the two Countries, and that a properly accredited agent of Texas has constantly resided since that time in this City. All communications therefore on subjects relating to your Consulship and directly connected with the Government of the United States, will properly be addressed to this Legation

I have the honor to be with much respect
Your obedient Servant
signed Anson Jones.

I certify the three foregoing communications to be true copies from the Originals on file in this Legation

M. Austin Bryan

Legation of the U.S.
Houston

La Branche transmitting Communications relative to Seizure of Vessels by U.S. Ships of War

Sir I have the honor to acknowledge the receipt of the 15th and 27th instant in answer to a note of the late violation of [illegible] Corps of the Republic's

despatch to my Government for consideration.

With a hope that the orders of the President will put a stop to those lawless acts, and that your Officers will for the future respect the territory and sovereignty of the United States, I renew to you Sir the assurances of my distinguished consideration

Alcée LaBranche

Hon. James Webb, Secretary of State
of the Republic of Texas.

New York
July 29th 1838.

Dear Sir,

When I wrote my last despatch I was fully under the impression that Col Grayson (of whose melancholy fate you have doubtless already heard) had been appointed Minister to Washington: nor was I apprised of the mistake until a few days since. So far as the business of the Legation is concerned I am not aware that it has made any difference; not having any power myself, to act in a matter involving so much discretion as the instructions to Genl Hunt, relative to the withdrawal of the proposition for the annexation of Texas to the United States.

Obtain pay Bartlett & various subjects, viewing his resignation &c.

There remaining nothing on hand that could be attended to immediately, and indeed scarcely any one in Washington to do business with, the state of my health too being very bad and requiring a change, I have taken advantage of an interval of general leisure and recreation to visit my connexions in this city. For fear however lest something should transpire of sufficient consequence to call one back to Washington, I engaged Sandy Harris Esqr to take charge of the papers and give me the earliest information of any business which might arise. Mr Harris is a gentleman of worth and trust, and having been connected with the Legation for several months past, first as private Secretary to Genl Hunt, and afterwards as under Secretary to the Legation. I feel no apprehension that the business of the Legation will in any manner suffer during my absence. Should any dispatches arrive, they will be sent on to me immediately.

My principle object in writing to you at this time is to signify my desire to resign the situation, which I have the honor to hold in the Legation at Washington, and to request that the President will appoint some one in my stead. This request will not, I am sure, be deemed unreasonable, when it is considered how long I have served in my present capacity. The interests of the Legation are of course regarded by me as paramount importance to any private interests of my own, and it will be incumbent upon me to remain and see that they are properly attended to, until some one is sent to relieve me. Still my circumstances are such as to put it out of my power to remain much longer in Washington and to render me extremely anxious to return to Texas at an early day. I hope therefore that the President will find it convenient to gratify me in the above request.

A few days since, I sent Mr McKinney an order upon you for $600 being the last quarterly payment due me as Secretary of Legation. The last quarter having commenced on the 14th day of June. I am particularly desirous that this draft should be punctually paid, as it was given in payment of debts which have been standing for some time. With regard to the other draft which I drew upon you in conformity with your directions [illegible] months since, payable to the order of William & Thompson Esqrs [illegible] not yet received any portion of the money, nor have

trouble and inconvenience as I had predicated some engagement upon the supposed certainty of the money reaching me before this time.

It was rumored here yesterday that the Commissioners under the Loan Act had succeeded in obtaining two Millions from Mr Biddle for 14 years at ten per cent, and also that he had agreed to advance upon the Cotton of Texas as a stipulated rate. I am disposed however to doubt the correctness of the report. I saw Mr Burnly a few days since, who then spoke doubtingly of success. He and Mr Williams are still in Philadelphia, I believe.

Please present my respects to the President

With great regard, I am very truly

Your Friend and Obdt Servt.

Fairfax Catlett.

Hon'l

R. A. Irion

New Orleans April 5th 1839.

Hon'l

James Webb,

Secretary of State,

Respected Sir,

The doubts I expressed to Genl Hammeken, Gen'l Hammeken, from whom I last had the pleasure of an interview, have now so nearly reached a certainty that I have to request of you, in compliance with the wishes of Commodore Ap Catesby Jones, Lieut Bee, to send on some fit person to accompany him as Secretary of Legation to fill his place. Legation. I have made every possible effort, and will continue to exert myself, as I am very anxious to go, but have so little probability of success that I deem it my duty to inform you that I cannot accept the appointment which the President was kind enough to confer on me. It is a source of the greatest mortification, as from the present aspect of Mexican Politics, I think some success will attend the Mission.

I forward per this conveyance two pamphlets, viz, the Journal of General Mexia, and its Analysis by Genl Filisola, which please present to his Excellency with my compliments.

I remain with great respect

Your Most Obdt Servant

Geo L. Hammeken.

Mobile 6th April 1839.

My dear Sir,

Think of me missing Commodore Shubrick by about 15 hours, he had just left for Tampico and Vera Cruz, the Warren however is daily expected and I have arranged with Capt Dallas to go out in her, as she has orders immediately to follow. The Woodbury too is daily looked for from Vera Cruz, and will return promptly, as she is the mail Boat between New Orleans and Mexico, so that I have two things in my bow. Mr Cammeken is in New Orleans, and anxious to accompany me, but still fear he may not be able. You had better therefore let Mr Ross come to New Orleans immediately. Mr Potter who is in the Custom House Velasco would answer very well, but think he cannot be spared.

There is a general belief that our propositions for peace will do, and all unite in according praise to the Administration.

I enclose you a letter from General Hamilton which Col forward, he will undoubtedly get you an advance on his reaching New York. The one and sincerely wish you had.

B.E. Bee relative to his Secretaryship

believe me, Sincerely Yours
Barnard E. Bee.

Hon
James Webb.

The following letter is without date,

New Orleans, Monday Morng

B.E. Bee relative to L. detention " New Orleans

My Dear Sir,

As yet no tidings of the Warren or Woodbury. Captain Dallas will instantly communicate the arrival of the former and Mr Breedlove the collector of this Port has assured me the latter shall be at my service the moment she arrives. Say to the President, he must not regret the delay— it has enabled me to mingle with those having intimate relations with Mexico, and who are all writing to their friends in my behalf; but above all it has secured me the influence of the Ligardi's, who are not only powerful ~~in themselves~~ in Mexico, but are the Agents of the Bond holders in England. Mr Gordon of the House assures me he had repeated interviews last summer with Lord Palmerston upon the relations of Mexico and Texas, and that he is satisfied the letter he will now give me to Mr Packenham the British Minister to Mexico will insure my reception. He will call upon him in the strongest terms to urge Mexico to listen to Texas, as the best possible mode of the British subjects being secured in their interests. This you know is always a powerful inducement, and the heavy obligations under which Mexico is to England will compel her not slightly to treat Mr Packenham. The Ligardi's, (Mr Forstall & Mr Gordon known to Mr La Branch, who see) think too the more highly creditable to Genl Lamar, and will tend to place him on high ground in Europe, and insure General Hamilton's success— They say they could hardly have expected so much for cast in so young a Gentleman. My delay too will probably furnish me with letters from Mr Poinsett and the British Minister at Washington. The Padre is here willing to aid in every way— Col White thinks he will be of much benefit; I doubt his Governmental influence, but as a Catholic Priest I have no doubt he will be of service. I bear all his expenses, I suspect he has not a full purse.

† Mr Forstall assures me secret money is indispensable.

I have just received a letter from General Hamilton on his journey (written with a view of its being seen by Santa Anna or who ever may be in power) that any promises I may make, he will see fulfilled in Philadelphia. — X

Write to me to the care of the Ligardi's, and should I have left, they will forward it to Mexico. A vessel sails in a day or two belonging to them, but they advise my going in a National Vessel, - and putting myself under Commodore Shubrick, (my relation) or Admiral Dupplas, and waiting till I hear from Mr Packenham, whether I will be received.

Say to the President have no fears for me, all that man can do shall be done. I regret Mr Hannekin cannot accompany me; if Mr Amory cannot come, I shall take some competent person I dont care of what Nation

I am my Dear Sir with great esteem
Respectfully Yours
signed Barnard E. Bee

Hon'ble
James Webb

John Crawford relative to Schooner Eliza Russell, and the following Docts

British Consulate
New Orleans April 17th 1839

Sir,

Messrs G. Vogelgsang & Co of this place having submitted to me several extracts of correspondence with the British Admiralty and Foreign Office respecting the case of the British Schooner Eliza Russell, illegally captured by a Texian armed Vessel in 1837. And having also received a letter from her Majesty's Consul at Havana, requesting my assistance in forwarding the views of Messrs G. Vogelgsang & Co Agents for the owners in this case, I have to request that you will give to this claim every attention which the nature of the affair may require; and I shall have great pleasure in learning of its speedy adjustment. The correctness of the claim I believe has already been admitted by the Government of Texas, and I would venture to express a hope, that no unnecessary delay may be allowed, which must be attended with serious loss to the parties interested.

I have the honor to be
With Great Respect
Sir, Your Obedient humble Servt
John Crawford
Consul

To the
Hon[t] James Webb
Secretary of State
Houston Texas.

New Orleans
16th April 1839

To the Hon[t]
James Webb
Secretary of State. Texas.

Sir,

G. Vogelgsang & Co. relative to Schoon[r] Eliza Russell.

In December 1837 we laid before Mr Townsend, then Consul of Texas in this City, a set of documents referring to a certain claim which the British Schooner Eliza Russel, Capt Joseph Russel, has against your Government.

Mr Townsend found them all correct, and he as well as Mr Thomas Toby after him, and lately Mr William Bryan, have written a number of times to your Department by our request, as agents of Captain Russel, urging the settlement of said claim, but, as every one of them replies to our frequent inquiries, have never received any answer respecting the claim in question.

We are authorized by Captain Russell to receive the amount of the claim or any part thereof for his account, and now take the liberty, to lay before you an extract of Messrs Swain, Stevens & Co's letter dated London 12th December last, addressed to Messrs Arangoiz Droosten & Co at Havana, copies of the specification of the amounts which Captain Russel claims, and of sundry official communications from the British Admiralty and Foreign Office, referring to said affair, hoping that after the perusal of these documents we shall be favored with an early answer from your Department, respecting the settlement of the claim in question.

Very respectfully
Sir Your Most obedient Servants
G. Vogelgsang & Co

London Dec[r] 12

Extract,
Messrs Arangoiz Droosten & Co

Gentl[n]

to the ca

Swain, Stevens & Co relative to Eliza Russel

for compensation for his claims on them, which they have admitted but alledge as a reason for non payment thereof the want of funds. We beg to hand you for your information and guidance the annexed copies of letter and papers relating thereto.

You will see by them the increase amount of the claim and that the affair is at last taken up by the Government here. There is much reason to believe that the Government will be advised to demand immediate satisfaction and reparation from the Texas. You will be pleased to make this communication known to the Agents at New Orleans on your first opportunity, and and they will kindly continue to take such steps there as they may deem advisable, and you will also direct them to urge the settlement of this claim with the Texas.

Your Obedient Servants

(Signd) Swain Stevens & Co

Jno Chas Nash

6 Frederick Place, Old Jewry

A. Backhouse to Swain Stevens & Co relative to Schr Eliza Russel.

Copy,

Foreign Office Novr 1st 1838.

Gentlemen,

With reference to your letters of the 5th & 6th ult and to Mr Stanguay's answer thereto, relative to the seizure of the English Vessel Eliza Russell by a vessel under the Texian Flag, I am directed by Viscount Palmerston to acquaint you that his Lordship has received a letter from Genl Pinckney Henderson an agent from Texas now in London, stating that General Henderson had been informed by advices from Texas dated 23d August last, that a few days before that date an English Vessel called the Eliza Russel commanded by Joseph Russell bound to Sisal in Mexico, had been captured and sent into the Port of Galveston, by the Invincible Texian Vessel under the command of Captain Thompson, and that upon examination it was discovered that the English Vessel had been wrongfully detained and captured. That General Henderson had been thereupon directed to assure her Majesty's Government, that the Commander of the Texian Vessel had violated his instructions by captaining the Eliza Russell, that upon the fact of the capture being known, the Eliza Russel was immediately set at Liberty, and that orders had been given by the Texian Authorities for making the most speedy and ample satisfaction to Captain Russell for the unlawful detention and capture of his Vessel.

I am Gentlemen, Your most obdt humble Servt

Signd A. Backhouse.

Admiral Adam to Swain Stevens relative to Russel

Copy of letter from Admiral Sir C Adam one of the Lords of Admiralty

London Novr 2nd 1838.

I have just received your letter of Yesterday upon the subject of Mr Russel's claim on the Texian Government on account of the detention of his Brig the Eliza Russell. I am not in communication with General Henderson the Texian Agent here, but I have seen Mr Backhouse on the subject within these three days, and put into his hands some letter which I received from Scotland. He promised to enquire into the whole matter and let me hear from him. I have now sent him your letter and urged the necessity of a speedy arrangement being come to and I have particularly noticed the necessity of giving instructions

Con[illegible]

[illegible] to attend to the examination of witness

As soon as I hear any thing from Mr Backhouse I will let You know
I am Yours Faithfully
(Signed) Chas Adam.

Admiralty Nov 21st 1838

Admiral Adam, relative to Mr Eliza Russel.

I received a note from Mr Backhouse last night in which he tells me that the case of the Eliza Russel is still before the Queens advocate, who has been called upon for an immediate report. Mr Backhouse goes on to say that I shall receive the earliest notice of his answer and of the measures which may be adopted upon it. He further adds that the representation I had just sent (as to the Texian Agent interfering with Mr Willis) will be considered in conjunction with the Law Officers report.

I remain Yours Very Faithfully
Chas. Adam.

Admiralty Nov 25–1838.

Admiral Adam, relative to Eliza Russel.

I communicated the letter I received yesterday (as to the action by Mr Willis) to Mr Backhouse who replied that he hopes very soon to have it in his power to give me some information with respect to the Eliza Russell, and he fears that nothing can be done with General Henderson, as the last time he heard from him he was in Paris.

To Chas Stark Esqr
of Swain Stevens & Co
Fredericks Place Old Jewry

Yours very truly
(Signd) Chas Adam.

Mr Backhouse presents his compliments to Messrs Swain Stevens & Co, and in reply to their letter of the 28th Ulto. Mr Backhouse sends Messrs Swain Stevens & Co a letter which Lord Palmerston has caused to be addressed to the British Vice Consul at Laguna directing Mr Shiels to afford all the assistance in his power on Captain Russells behalf during the examination of the witnesses by the Commission which is about to be sent to Laguna to collect evidence to be used in the action which has been brought against Captain Russell.

Mr Backhouse to Swain Stevens & Co relative to Eliza Russell.

Foreign Office Dec 1st 1838.

Copy Claim put into Government No 9

Claim of Capt J. Russell for Schooner Eliza Russel against Texas referred to in index of letter to Lieut Crawford.

Claim by Captain Russell on the Texian Government, and all whom it may concern for damages &c sustained by reason and in consequence of the illegal capture and detention of the British Vessel Eliza Russell in the Gulf of Mexico in the latter part of the year 1837 upto Sept 1838.

To Amount of former claim No 8, Demurrage Repairs &c, recognized by the Govt of Texas		£865 4 —
Extra Insurance on Vessel a 6 p	£96 — —	
Freight &c	42 — —	138 — —
Expenses, Law & Agents charges at Havana, New Orleans — London, Scotland, Consulfees, disbursements the enforcing the claim on the Govt &c, &c		
1838, September present claim besides Int at 5 p c p Ann		

Amount of Damages & Loß claimed by Meßrs Willis against Capt Russell under the Charter which he is disputing and in which he will have to claim indemnity from the Texas . . . . . £450 — " — "
Estimate of Costs thereon, in all say . . . . . 350 — " — "
Contingent — £ 800 — " — "

(Signed) Joseph Russell

New Orleans
April 18th 1839

My Dear Sir,

B.E. Bee relating to what it says.

A French Merchant ships will be sailing in a few days. I am temptea of course to go in her, - but all unites in my waiting for the Warren or Woodbury.

It seems indispensible that I should make presents in Mexico. — Secret money is indispensible, I arranged with Genl Hamilton, - but I must have your authority to draw through the Lizardis.

Yours with great Regard &c

Sir, I open my letter to say Mr Forstall has just read me a communication which goes by this days Express Mail to Washington, to the Mexican Minister there; infinite good will result from it. I have also written by the same mail to Mr Poinsett to pretend to know nothing of it; but accidently to give his opinion, both to Mr Martinez and Mr Foy. I have seen General Wall, he thinks it doubtful whether I will be received. I mean to be received and to be successful.

Yours &c
Barnard E Bee.

Hon
James Webb
Secretary of State.

(Despatch Informal)

Legation of Texas
Paris April 28th 1839.

To the Hon
The Secretary of State.

J.P. Henderson, pressing a wish to return to Texas requesting formal leave of absence, views relative to blockading the Rio Grande &c.

Sir, A few days since I addressed a letter to the President requesting leave to return to Texas. Regarding it as more proper to make known my wish in that regard through that Department of the Government with which I can alone formally communicate, I have deemed it necessary to address you this, in the shape of an informal despatch. I therefore beg that you will acquaint the President of my wish to deliver up my authority as Minister to the Government of France and England into the hands of such person or persons as he may name and authorize to receive the same about the first of Sept next. I name that time for two reasons, first, because I hope to have ere then obtained definite answers from the Governments of France and Great Britain upon the subject of the Recognition of Texas, and secondly that I may have time to travel South before the cold weather again sets in. My health suffered so seriously last winter from the inclemency of this climate that I cannot with safety remain here another winter. In addition my private business from which my attention has been almost entirely directed for —— three years demands attention.

A.C. 02 4 to 4 [illegible] 2, of this and the Court 1.1

Sovereign the letter (or a duplicate copy of the same) recalling him— That should in this case be from the hand of the President under the great Seal &c. I hope you will forward such for one, for this and the Court of London for my use in the event of Recognition before I leave. They can be forwarded by my successor and may be in blank with the Presidents name at the bottom of the first sheet or rather the first page of Letter paper, sealed &c. So that way they may be used by myself or successor in the event that Texas shall not be recognized before I leave. You are doubtless informed that great importance is attached to all such formalities in Europe and they are never departed from even in favor of the simplicity of Republican Diplomatists.

I learned a few days since that the agent sent by this Government to Texas arrives at Galveston in February last, I hope that his report will soon arrive here. The Duke of Mon- tabello the Ministry of Foreign Affairs ad interim, informed me a few days since that he expected to hear from him in the course of a few weeks. Marshall Soult has not yet succeeded in forming a new Ministry from the discordant materials which compose the combination that voted down the Molé Ministry nor do I be- lieve that he will be able to form a Ministry under his present instructions, certainly such a Ministry could not remain in office three weeks. The combination must necessarily include men of both extremes— Republicans and Absolutionists. It does seem to one that the Molé party which occupy the centre as do the Whigs in England is the only one that can succeed finally.

I suggested in my last to the President the ne- cessity of blockading Vera Cruz and such other of the Mexican Ports as may be within the province of our Navy as soon as it is afloat and manned. I feel well assured that that course would do more to settle the war with Mexico than any other which Texas could adopt. England would feel herself bound to interfere immediately and bring about a compromise between Texas and Mexico which of course would be upon the basis of the absolute recognition of Texas by Mexico and England too. That course she would be compelled to take in order to preserve the Millions which her citizens have invested in Mines and trade in and to Mexico. Her course in the late contest between France and Mexico is sufficient to prove this fact. The whole influence of the Capitalists in England has heretofore been against Texas. They have owing to them by the Government of Mexico about forty Millions of dollars. Mexican Bonds now sell in London at a discount of 94 to 95 per cent.

Some of the friends of Texas here have been of late somewhat alarmed by the recent report which reached them through the U. States papers, that Texas was about entering into a compact with Mexico as the leader of the Federal party in Mexico furnish men &c &c in consideration that he would &c &c. I have begged them not to be alarmed in regard to that I could assure them that I believed Texas had not form a political or belligerent character with any party.

I am

Agents Report shall have been received by them.

I have the honor to be

Your most Obedient Servt.

J Pinckney Henderson.

To the Hon.

Judge Webb.

Houston April 18th 1839.

Mr President.

I have the honor to inform your Excellency, that I have been sent to you, by Admiral Baudin Plenipotentiary of France and commander of the Naval forces of that Nation, in the Gulf of Mexico, to enter into an explanation upon some propositions, which were made to the Admiral by the French Consul at New Orleans, and represented to be the official, though informal, expression of your views in the impending contest between France and Mexico.

Abbé Andruze relative to proposition to France, to aid Texas.

You will perceive, Mr President, by the letter of the Admiral, which I have had the honor to deliver to your Excellency, that I am authorized to enquire into this matter. With every disposition of the Admiral to meet the Government of Texas in an agreement, which shall be mutually beneficial and satisfactory, permit me therefore to ask.

First, What would be the nature of the co-operation of Texas in the event of a new war between France and Mexico.?

Second, What would be the extent of your demands, in money, war ammunitions, means of transportation &c.?

Third, What would be the guarantee offered for the reimbursement of the advances thus made?

As the propositions which were represented to be made by you, were not sufficiently specific, I beg of you Mr President, to state the propositions, which you would be willing to make, on the eventuality of a new quarrel between France and Mexico.

Though this Mission of mine, Mr President does not proceed directly from the French Government, as the propositions will be, I hope, be mutually advantageous, both to you and to France, the Admiral Baudine will feel it his duty to obtain the approbation and sanction of his Government.

I have the honor to be, Mr President, with sentiments of the highest consideration and respect of Your Excellency

To His Excellency
M. B. Lamar
President of the Republic of Texas.

The most Obt and humble Servt
The Abbé M.B. Andruze

Hon
James Webb.

New Orleans
April 30th 1839

Sir,

not seen relative to postponing negotiations, previous to finishing Mexico the.

I received Mr Seabrings very Courteously as coming from the President, A Secretary however, ought always to have the confidence of his Gentleman with whom he is associated and therefore I wished Mr Armory since Mr Seabrings arrivee, fact have come to my knowledge relative to his affairs in Mexico which compelled me instantly to inform him that it was impossible he should accompany me. The mission is a delicate one, and nothing calculated to mar it in the remotest degree ought to exist. I shall obtain an interpreter through the English or American legations. I will answer any enquiries fully — and then if Mr Armory

from me on my arrival. I have had a letter from Commodore Dallas announcing the arrival of the Warren. I will get particulars tomorrow. I am all ready, the Shawnee have been glad to have taken the Washington letters with me, Mr Poinsett will send them to me however. I take with me a letter from his home (Ligardi) to Mr Pakenham which will have its weight, warm letter from the Merchants engaged in the Mexican business, and a confidential letter from General Gaines to Santa Anna himself. By the bye, the News papers give an account of his installment as President. Strange Govt! Bustamenta will just down the Federalists he take it seems the olive branch with him, compromise is the order of the day, - so that I still am sanguine. I have positive information that the Texas question has been favorably received in the highest circles of Mexico. A French Gentleman assured me he had received a letter to that effect. Keep this as a Cabinet Secret.

Your communications had better pass through the Ligardi's as they have constant intercourse

Respectfully Yours
Obedient Servant
Barnard E Bee

United States Schooner Woodbury
Vera Cruz, May 9th 1839.

My Dear Sir,

I arrived yesterday after a prosperous voyage, and immediately commenced operations, - but I enclose my own letter and hope you will read it, as my communication to you, it gives you the material points. If I am not received this afternoon I have informed Genl Victoria I shall avail myself of the hospitality of the French Commodore - (Admiral Baudin having sailed) - Since writing to my son it has been intimated through the Bishop (Padre Muldon who I assure you has evinced the utmost anxiety) and the American Consul, that upon my stating that the vessel was about to sail, and that I should have no domicile, that General Victoria would inform me I could take rooms in the city. I accordingly informed him I had only to claim the hospitality of the French, or be indebted to him until the Secretary of State of Mexico could be heard from, observing at the same time, I left it entirely optional with him which course was to be pursued, but that if allowed to have rooms in Vera Cruz, I should feel bound to comply with such regulations as he might deem prudent. I wait his reply.

Lieut Bee, in Vera Cruz. his arrival & prospects.

General Lamar will deeply lament the fate of Mexico! it is only however the course he meant to pursue - Anna had once fallen into his hands. Be sure enough to [illegible] my own Letter.

I am with esteem
Yours
On Board

(Hon
James Webb
Secty of State

Lt. Bee above
enquiry of the hospitality
and will pursue

Power of Attorney from U States to J LaBranche to receive pay- = ment of Pocket & Durango

Martin Van Buren

President of the United States of America

To all whom these presents shall concern, Greeting.

Whereas, by a convention between the United States of America, and the Republic of Texas, the ratifications of which were exchanged on the 6th day of July-1838, the said Republic of Texas engaged to pay within one year from that date at the seat of Government of Texas, into the hands of such person as should be duly authorized by the Government of the United States to receive the same, the sum of eleven thousand seven hundred and fifty dollars in gold or Silver, with interest at 6 per cent, in satisfaction of the claims of the Government of the United States upon Texas for the capture, seizure and detention of the Brigs Pocket and Durango, and for injuries suffered by american Citizens on board the Pocket.

Now, therefore be it known, that I, Martin Van Buren President of the United States of America, do by these presents authorize Alcée LaBranche, Chargé d'Affaires of the United States near the said Government of Texas, to receive from that Government in gold or silver, the said sum of eleven thousand seven hundred and fifty dollars, with the interest aforesaid, and to give the necessary acquittances therefor.

In witness whereof, I have caused the Seal of the United States to be hereunto affixed.

{Seal}

Given under my hand at the city of Washington the tenth day of May A D 1839, and of the independence of the United States the sixty third.

By the President, M. Van Buren.

John Forsyth, Secty of State.

I do, hereby Certify that the above is a true copy of the original on file in the office of the Legation

Given under my hand and Seal, this sixth day of

{Seal}

July A.D. one thousand eight hundred and thirty nine

Alcée LaBranche

French Frigate la Gloire

Vera Cruz May 13th 1839

My Dear Sir,

Bid Bee his invitation to dine aboard Vera Cruz &c. &c.

My packet of letters were sealed, The Woodbury's sails up, and I on board the French Commodore's barge; when a Mexican boat hailed, saying they had a letter for Don Barnard. It proved to be a formal authority from Genl Victoria permitting me to land. I immediately jumped on board the Woodbury and replied courteously for the privilege, but stated I was under an engagement to dine on board the fleet, but would pay my respects the next day. I had no time to write to you, but was assured by Capt Nicholas the Orleans papers should spread it far and wide. It was the more gratifying as the "El Censor" the day before after abusing the Texians said "if the Fellow attempts to land a prison awaits him"

Sunday I waited on the Governor of Vera Cruz and was received with great frankness, the moment he heard of my arrival he assured me he had communicated with Mexico by express, thought he should very soon know the result, and hoped all would be well!

But all

Secret Agent of the Government here, waiting an opportunity for New Orleans, for the purpose of conferring here with me upon the nature of my instructions in order if they proved satisfactory, the case might be given to the Mexican Congress before my arrival. I informed the agent that having already communicated with the Secretary of State, and my arrival universally known, I should mind myself for his care. Indeed I am very glad he did not meet me in New Orleans, I greatly prefer treating openly with these people. But the fact is important, it proves they are disposed to listen. They tell me here, with money I can do every thing, - without it nothing. You must under your own hand give me power to draw on Genl H. with this authority I can manage through the Merchants of N. Orleans. There is a Vessel ready to sail - I shall keep this open to the last, in order that I may inform you, should Genl Victoria hear from the Government

I am my dear Sir, with great regard
Yours &c
Barnard E. Bee

Judge Webb

Legation of the United States
Houston May 13th 1839.

Sir,

A Labranche relative to appointment of Commrs & by U. States to run boundary line.

I have the Honor to inform you that, pursuant to the Convention of the 25th April 1838 entered into between the United States of America and the Republic of Texas, for marking the boundary between the two countries, the following officers have been appointed by the Govmt of the United States: viz, John Overton Commissioner, John R. Conway Surveyor, and John L. Clendennen Clerk. The President of the United States before ordering these officers to proceed to New Orleans for the purpose of meeting those of Texas, awaits to receive the information of the appointment of the latter. As the meeting advertised to, is to take place before the 12th of October next; you will perceive that your Commissioner and Surveyor should be appointed without delay, in order that the information may reach Washington in due time

With Sentiments of highest esteem and respect
I am Sir, your Obedient Servant
Alcée LaBranche

Hon.L
James Webb
Secretary of State of the
Republic of Texas.

Paris, May 13th 1839.

To the Hon.L
Secretary of State.

Sir

R.S. McIntosh wish to return to Texas.

General Henderson having declared his intention of retiring from the duties of his present office during the approaching summer, I take this occasion of expressing my wishes, to be at the same time relieved from my duties as Secretary to the Legation

I am Sir,
Your most O.
Geo L M

Paris May 14th 1839

Dr Sir,

I have no matter to communicate of sufficient importance or interest to require a formal Despatch therefore I address you in this manner.

J. F. Henderson relative to revolution in France, changes of Ministry &c &c.

The King has at last appointed a Ministry. This was hastened I presume by an attempt which was made on the 12th Inst to get up another revolution in Paris. The Republican party commenced their efforts about three o'clock on that day in the very heart of the City, by breaking open every Storehouse where arms &c were to be found and soon afterwards attacked and carried several Military Stations in the City, possessed themselves of the arms - barricaded the Streets &c &c. This movement was entirely unexpected and consequently bid fair at one time to give the Government much trouble, all Paris was thrown into great consternation for some hours. All of the National Guards, Troops of the line and Civic Guards were called out, amounting in all to more than one hundred and twenty thousand men. The firing between the insurgents and Government forces continues at intervals until the next day. The Revolutionists are never completely subdued and a great many arrests have been made. During the night of the 12th there were several hundred persons killed and wounded. This disturbance is mainly attributed to the unfavorable check upon all commerce in France and especially in Paris, caused by the late suspension of Ministerial influence in the Government and the uncertainty consequent thereupon. It is difficult for citizens of America, who are indeed and feel themselves so independent of Government to understand how such events can materially affect individual prosperity, nevertheless it is true to an astonishing degree here. There are men too in France always watching for opportunities to rouse the common people to rebellion against the present Government; without, I think, being able to promise them one as suitable to their wants and capacities. The people of France are well and wisely Governed and ought to be better satisfied than any other Nation in Europe. I have not yet learned that any person of distinction has been engaged in the late disturbance. As soon as the movement was made known to the King he sent for Marshal Soult and appointed the following Ministry.

New Ministry

Marshall Soult President of the Royal Councils and Minister of Foreign Affairs. Mr Teste Minister of Justice and Public Worship. General Schneider Minister of War. Admiral Baron Duperré Minister of Marine and the Colonies. Mr Duchâtel Minister of the Interior. Mr Gidain Minister of Commerce, Mr Dufaure Minister of Public Works. Mr Vellemain Minister of Public Instruction and Mr Passy Minister of Finance. This Ministry combines as much party strength as any that could have been chosen at this time, and I hope will be able to conduct the Government so as to satisfy all parties. The King is more popular now than he was three months since. He seems to increase in wisdom and energy in proportion to the difficulties which surround him, and the enemies of his house will find it no easy matter to shake him from his throne.

I have heard nothing from the French agent who has been sent to Texas except what I get from a New York correspondent and he corroborates only so far that he has seen his arrival at Houston mentioned. I hope to hear of his return &c &c. 'Tis known that I may know when to urge mine

from His Government &c.

The Duke of Montebello (late Minister of Foreign affairs at Vienna) asked me a few days since if it was true that Texas had sent a Minister to Mexico, and under what circumstances he had been sent, observing that he had seen it stated in the newspapers &c &c. Of course I could only reply that I could give him no other information upon the subject than that he already possessed as I had not been officially informed of the fact, and had only myself seen it as stated in the U States papers. If it is true that Texas has appointed such a Minister, I am sorry that I am not informed of it as it may be important to know it when I come to move in the business of recognition.

The British Ministry resigned a few days since but resumed their stations in a few days. The Tory party cannot carry on a Government in England without the support of at least a part of the Whigs. The Radicals can of course never support a Tory Ministry. So the Whigs being placed between the other two parties, and neither having a majority of the whole, must continue in office.

Yours Very Obedient Servant
A. Pinckney Henderson

Honorable
James Webb
Secretary of State, Texas

Near Orleans May 10th 1839.

My Dear Sir,

General Victoria has received an answer to my despatches, I am desired to remain until the "Convention" can assemble and decide. The Priests have a decided voice in this body, but as they are wedded to the influence of Santa Anna, I presume I have little to apprehend. The impression here is that Santa Anna will not give the Mexicans again to Bustamente; and that more discord & confusion will ensue.

Col Bee, relating to Sundry Diplomatic Affairs,

A corps of Cavalry left here yesterday afternoon to escort Madame Santa Anna from Hacienda de Almonte to Mexico. Strange to say this will have been the first visit to the great City. I remember him telling me that he was domestic and that he had never been able to prevail upon her to accompany him. I presume she is now ordered for fashionable effect.

The Texan agent has been communicative, it seems he was desired to ascertain the boundary, and accordingly what we were willing to pay, and how much we should require. The Officer at the head of the Mint, was to be the mediator. In order that it might be made easy to us we were to be recommended to purchase English Bonds at 25 per cent and have them shipped to Mexico. I sincerely pity those who as a speculation of future things are carrying one. The Colonel it seems, is under the impression he would be satisfied with. Even if this agent (Van Ness) is in Orleans, I should have had nothing to do with him, the Texans no doubt have unofficial authorities.

The Vessel is ready and I must close

Very Sincerely
Yours
Bonnard

Hon
James Webb

Washington May 17. 1839

Sir,

I have not yet presented the explanation of my Govmt relative to General Rusks entry with an armed force within the U States. I was afraid it might possibly result in a controversy, which would have paralized my efforts to obtain the mediation of the United States for the settlement of our Mexican difficulties. I have explained this in conversation — to the Secretary of State, I think there will be no difficulty. He says that his Government cannot make a conventional arrangement for either party to cross the line to punish aggressions from the Indians, but if we will show the necessity for our safety, that this Government will take immediate steps to station a competent force on the borders to restrain the Indians from incursions and depredations upon our territory and our citizens. I said to Mr Forsyth that this was all we desired, and that his Government could not discharge its obligations to Texas without such a stationed force on the borders. He states however that the statements of the agents and officers of his Government would be relied on in preference to any statement from our Government; unless we produced evidence. The agents of the U. States on the borders have stated that the Indians have not and do not intrude on our territories. Attached to General Rusks report to the Secretary of War he has the affidavit of Mr Vansickle* that the Indians of the United States have crossed the line and made war on our citizens. I will present this in a few days, not until Mr Ellis leaves the United States.

R. G. Dunlap relating to Gen. Rusk's report &c.

P. Hend relative tion in hostages case.

*Swearing Conclusively

I was asked if the President had appointed a Commr to run the line between the two Governments. I replied that the appointment was offered to a gentleman before I left but he had not either declined or accepted it. The United States will not place a force there until the boundary is settled.

Had the President not better send some agent to collect testimony relative to the crossing of the line by the Indians.

You will please forward to the President of the United States, a letter of recall of Doct Jones this will answer, altho the same ceremony is observed in taking leave where the two Governments are on good terms, that are observed in the presentation of a Minister. I send you Wheatons elements of international law which has a code of etiquet for the diplomatic corps.

I send some journals, reports &c of the United States Congress which may serve as rules or guides in some cases, when I get in funds I will send you other things equally useful to yours and all the Departments.

I have the honor to be
Very respectfully
R. G. Dunlap.

Honorable
James Webb
Secretary of State
Texas.

Washington May 19th 1839

The Hon.
James Webb.
Secretary of State.

Sir, Since my last to you, some things have occurred of which I deem it my duty to advise you. I enclose a [illegible] I wrote Col Bee in cypher advising

Government had instructed Mr Ellis to offer the mediation of the United States &c.

I have made some suggestions to Col Bee of which I also advised you, and relative to which I shall be happy to have the views of the President. You will see that I have said to Col Bee to not leave Mexico, until time sufficient shall elapse to effect the loan. The mere fact that a mission has been sent to Mexico, has had the happiest effect in favor of the cause and prospects of our Republics. His sudden return without doing any thing, would lose us all the benefit of that opinion, which rests in confidence on the mere fact that a mission has been sent to our enemies with overtures of peace

A day or two after the interposition of this Government as previously stated, I met with Major Lewis an old friend, connected with this Govt, who informed me that he had received a letter from Vera Cruz entitled to great weight, stating that Bustamente was rallying all the power of the Central party to attack Tampico, an American Town in feeling and partly in character, and the strong hold of the Federal party. The writer considers the result not certain, but somewhat favorable to the Central party. But in the event of success, he says that Bustamente will appeal to the pride of the Nation, urging the immediate invasion and reconquest of Texas. This is his master stroke, to quell home dissentions and fasten permanently Centralism on the people of Mexico. The writer further states that, Genl Santa Anna will not oppose this movement, for two reasons. The fear of his popularity at home, and a secret wish to place Bustamente in a condition, from which he cannot extricate himself without total ruin and disgrace.

† General Hamilton arrived here the evening on which I received this information, I advised him of it and insisted on his immediate departure for Europe to negotiate our loan. He left this city remaining here only one day to hurry the completion of the Bonds, he will lose no time. I gave him all that had occurred between myself and this Government, which was truly gratifying to him, and in his opinion, gave him the basis of certain success. He then called on Mr Fox, and let him have a few hints on this subject. The result is truly propitious and every way promises what our Govt most desires.

Mr Fox promised General Hamilton to write forthwith to Mr Packenham the British Minister at Mexico, advising him of these matters and soliciting his Cooperation with Mr Ellis and Col Bee, in a manner most available. He also promised to send a copy of the letter to Lord Palmerston, and with it to give Genl Hamilton a private letter ×

I shall go to Philadelphia by the 1st June if not sooner, to countersign the bonds. General Hamilton said to me that he was very confident that he would close an arrangement the last of this week, for half a Million of dollars to meet the present wants of the Republic

Mr Dangerfield wrote me the other day relative to instructions, from the Secretary of war, if you will have them sent to me, I will send them to him, and go and assist in the pr such arms &c which it may be deemed available to the President with all the fair duty requires, &c

which I m

E. G. Dunlap
Relative to
American affairs
Genl Hamilton's arrival
Washington
&c &c.

I am just concluding a mail arrangement with the Post Master General here, to allow letters to pass the boundary line without the postage being paid, the Post Master General of Texas will have to accept and ratify the agreement until the meeting of our next Congress. I shall be able to enclose you this arrangement in a few days.

I have still delayed presenting to the State Department the explanation of my Government relative to General Rusk's entrance with an armed force in the territory of the United States for the reasons which I have previously assigned you. But I shall do so before I leave for Philadelphia.

In relation with the highest consideration and respect

Your obedient and Humble Servant

R. G. Dunlap Jr.

Washington May 17th 1839

R. G. Dunlap to Col Bee.

My Dear Sir,

Mr Martinez the Mexican Minister has written to his Government formally, in relation to the adjustment of our difficulties with Mexico. Mr Ellis will be instructed to say to the President of Mexico that should he desire it, this Government will take pleasure in interposing on behalf of Mexico. Every thing proceeds well here. You must not hint this to any one.

General Hamilton is here and very sanguine of success I go in a few days to Philadelphia to countersign the Bonds. Let me hear from you often.

The idea seems to be to see, with the Mexican Minister, I have no instructions but have written for them on this subject. If I get them they will be good for you. I have suggested the propriety to the President to authorize the purchase to the Pacific including California. Do not leave until something shall be done, your return would ruin every thing. If you should be rejected stay as long as you can, until we get the Loan, and have time to make a favorable impression on the Courts of Europe.

I will write you often, and every thing touching our duties

I am Yours. Truly

R. G. Dunlap.

To

Col Barnard E Bee.

Copy

New Orleans May 19th 1839.

Gen. James Hamilton
Charleston S.C.

Dear Sir,

I left here on the 1st inst went to Texas and returned immediately. On my return I found a letter from Col. Bee, dated on board the Woodbury 3d inst. of which the following is an extract.

R. G. Hamilton to Genl Hamilton relative to draft on Col Bee.

"We will be at sea in an hour, On your arrival see Mr Conray of the firm of Gasquet. I have written to Genl Hamilton to send him a check on the Merchants Bank for $5.000" I have called on Mr Conray, on Mr Forstall and also on Mr Hodge, but neither of them knew any thing about the matter. I am afraid Col Bee has gone on without funds, as in the same letter he directs me to buy him the ballance, after applying a part for myself and to pay some small accounts for them.

You will confer on me a favor by informing me, whether this money is in New Orleans - and if so, how I can obtain it. A fine vessel

on Col Bee's account not to be able to join him,— I have been ready several days, anxiously expecting that Gaguet would hear from you. Mr Forstall told me that he had, since the departure of Col Bee received news from the highest authority — that he would be received, and that he (Mr Forstall) felt confident of the success of the Mission.

Should you find it more convenient to send a letter of credit to be drawn against from Mexico at sixty days sight for $3000 than a draft on this place for the $1500* I can make out for what he wants done in this city.

Requesting the favor of an immediate reply, I remain

Respectfully Your most obt Servant

Geo. L. Hammeken

Hon'l James Webb
Secretary of State.

New Orleans, May 20th 1839 —

Sir, The foregoing is a copy of a letter addressed to General Hamilton. I hope that before I can receive a reply to it, the rumors mentioned by Col Bee will have arrived. I will avail myself then of the first opportunity to reach the City of Mexico — as there will probably not be a vessel for Vera Cruz very soon, I will go either to Tampico or Matamoras, if I should think I can gain time by doing so.

G.L. Hammeken's letter relating to his mission to Mexico as Secty Legation

Mr Forstall is the active partner of the House of Lizardi & Co highly influential in Mexico, and his co-operation will have a great tendency to bring about an arrangement between the two Countries. He told me that he had spoken the way for Col Bee, and that no doubt an arrangement could be effected on the basis of the acknowledgement of our independence. He has allowed me to inform his Excellency Genl Lamar, that he had just received news from the highest authorities to that effect.

I forwarded by the vessel which sailed yesterday a letter received some few days ago from yourself to Col Bee. Should you have any further commands, I am afraid that the return of the Columbia will catch me here, waiting an answer from Genl Hamilton.

I am sorry to see June so near, as the rainy season commences in that month, making travelling in Mexico excessively tedious and disagreeable. I want to be off. A little more consideration on the part of our friend Col Bee as to money arrangements would have saved me much perplexity, and I fear himself some disagreeable feelings.

With sentiments of high regard, I subscribe myself

Your Most obt Servt

Geo. L. Hammeken.

Hon'l James Webb
Secretary of State

Vera Cruz, May 24th 1839

Hy Dear Sir,

Repeated communications have passed between General Victorio and the Government since my arrival. My letter requesting to be allowed to forward my despatches with important communications from Texas, was laid before the Council, and unanimously rejected "if it was my object". Private letters were received by the Castle boat, in the course of which General Rincon informed me with marked attention,

* will answer as well as the $1500

of the question; that Zacatecas, Sonora &c would soon be asking the same thing. I replied we were a different people, speaking a different language &c, while these states with a good Government would seek no change. He then urged, that Texas should at once propose to be reunited with Mexico, that she should be received with open arms, the past forgotten. I replied, that his proposition was a flattering one but that Mexico was now a Central Government, when Texas was attached a Federal; he said she was a Representative Republic that Texas as a Department would have a right to be represented &c &c. I told him, Texas was valueless without slaves, and that under his constitution, Slavery could not exist; he replied, that can be got over, Congress would assent to Texas holding them &c in fine nothing could exceed his desire that we should come into the fold. He then went on. The French question is settled, the Federalists are put down, reform about to take place, and that with her great resources at command, Mexico would be compelled to wage an efficient War upon Texas. That companies from Europe with arms in their hands were ready to locate, only waiting the word, — that utter annihilation awaited us, unless we came in. — I replied, we were aware of their power, eight Millions of people, that for defence, I had no doubt of their prowess. But to his people in the aggregate, Texas offered not an inducement, that a Laurel could never be gained there, — that the province was remote — to get his soldiers there he would have to take them in chains, — that the war would cost them more than Texas was worth, — and that after all we would retain it, — for the moment our standard floated in the breeze, the young of all nations would flock to it; and that with an exhausted Treasury and a heavy debt, I thought they had better listen to my proposals. We of course did not convince each other and I only give you the conversation to show how strenuously devoted to the reunion the old gentleman is. He even asked if I did not think I could persuade my Government to alter her views. "Remember, said he, what an old man tells you". — Mexico is the finest country in the world, and is sensible of its advantages, at a future day your Star may be at her head."

Ed B.E. Bee on a two hours interview and conversation with Genl Victoria & other subjects.

But to Santa Anna, we must give him time, — at this moment he does not dare take a move openly in favor of Texas, he is playing a great game. The press is put down. The Militia of the country disarmed. Soldiers are pressed into the service. Mexia's followers made to fall in the ranks, Captains reduced to privates? Bonaparte conscription adopted. Despotism covers the land, — and until he is firmly seated as Emperor, nothing will be done, — in the mean time he will hector about Texas, (and in secret will negotiate with her), keep Bustamente at the head of the army &c — thus the mission has failed.

Texas must prepare for war, but with little probability of ever being invaded. I would not call a single farmer from his plough; let the soil be cultivated; you want population. Volunteers from all nations will flock to you. Ten thousand Germans, ten thousand French, — give moderate bounties in land, have a good commissariat, and you need not give a dollar pay during the time they are ~~ee~~, and with a moderate Navy you have nothing to fear.

the Government, — but I tell you the questi

was the place to open the subject. While I write, the secret agent is in my view. I have had nothing to do with him except to gather all I could.

The British Ministers at Mexico will say to Santa Anna, you are going against the Wind Mills in Texas, pray pay us before you start we are

I leave by the first opportunity, my services you know are at the disposal of the President, from a Volunteer in the army to a Privy Counsellor. I will proceed on my reaching Orleans to Pendleton S.C. and will expect to hear from you there; as there will be ample time to return to Texas.

I have communicated with Mr Packenham and expect to hear from him. I have yet to tell you of the fate of the Padre Muldoon, as soon as he reached Mexico, I am told he was incarcerated, for coming with a Texian, — he is said to have been imprudent on his journey, praising the Texians, and saying their Ministers must be received, but I rather apprehend his difficulty has arisen from having left the palace against the consent of Bustamenta, he obtained, it seems a passport from Santa Anna.

28th May 1839

I wrote you a hasty letter by a vessel which had just determined to sail for New Orleans; this will inform you that I am again on board the French frigate Comte Laine. I leave for Havana in the Steamer Phaeton, and hope soon to be in Orleans, as I shall take the first vessel.

I remain with esteem, Yours
Barnard E. Bee.

Washington May 24th 1839.

My dear Sir,

The uncertain and tardy means of information from our Republic to Paris induces me to drop you a few lines relative to the action and views of the President touching our foreign relations.

R. J. Dunlap to Genl J. P. Henderson at Paris relating to every thing.

On the breaking out of the revolution of the Federal Party in Mexico, the President deemed it advisable to send Col Bee to that Government and myself to the United States, with a hope to bring about a settlement of our difficulties through the mediation of the United States. (What I write you is in confidence, knowing you understand how to use it.) This Government thought it better to offer mediation to Mexico, stating that she did not wish to do any thing but what should be for the interest and acceptable to Mexico. The Mexican Minister here thought this would be the best course, to avoid the old prejudices which would be easily excited in the minds of the jealous Mexicans against the United States interference. Mr Ellis has been instructed on this matter, and the Mexican Minister has written home advising an adjustment of our difficulties as I have been unofficially advised.

Mr Fox the British Minister, as I have also had handed to me, has written to Mr Packenham at Mexico advising him of all these things and suggesting the propriety of his co-operation with the American and Texian Ministers. He also promised to give to General Hamilton (who left Liverpool with Mr Burnley to negotiate our loan, on the 13th of June) to send Palmerston a copy of his letter to Mr Packenham, and give his views touching the affairs and prospects of Texas.

I am induced to believe that the Late
Canada will cause France to recognize
shall take the lead. I do not de
of Texas we

sailed for Mexico on the 20th Inst. Bustamente is at the head of the Army and Santa Anna President ad interim. The Federalists are with us and have been writing to the President with such assurances. Santa Anna stands pledged before the world to settle our matters peaceably, he now has a chance, with his enemies at home, with him on the question. Things present truely a bright and happy promise for our country. The Republic is populating rapidly with the best character of the south. To obtain peace in a manner most consistent with the interest and character of the country, the President adopted the course I have just hinted at, and declined participating in the domestic quarrel and feuds of Mexico, which your Excellency could have been made greatly advantageous to Texas. But this course would at the same time, have so unsettled our National character in Europe and even here, that such a course with the apparent signs of peace might have proved very deleterious in the present crisis. It would have given us the character of mad adventurers for that fame which result from war and conquest, which would have lost us the good opinion of the civilized world. But if Mexico shall force the alternative upon us, then the just and enlightened of every nation will vindicate and dereliction such a step. It will then be the work and sin of Mexico, from which the Texians will acquire, gradually work out their own redemption

The Mission to Mexico will have one happy influence if it shall fail in every other respect (which I do not anticipate). It will hold out in bold relief the signs of a speedy and final peace, which will add greatly to the value of our bonds. — I shall be very happy to hear from you. — Yours &c —

P.S. The Morning papers from New Orleans announce the fact that the French Fleet is off Galveston, and conjecture that the Admiral has something political connected with his visit favorable to Texas.

Public opinion in the United States has changed most favorable for Texas, since the election and administration of President Lamar.

I am with high respect
Your Obdt & humble Servt
R. G. Dunlap.

Hon
J. Pinckney Henderson
Paris

Washington May 29th 1835

Hon James Webb
Secretary of State;

Sir

R. G. Dunlap letter to Secretary of State with enclosure of letter from Post Master General of United States to Republic of Texas

I have the honor to enclose you a copy of a correspondence between the Post Master General of the United States and myself, relative to a Post arrangement between this Government, _____ and the Republic of Texas. I send you the Post Master General's original letter, (retaining a copy) as it is the only plan by which any mail arrangement can at this time be made. You see from the enclosed arrangement with the Post Master General of the Canada's that a similar one is proposed to our governments. This will require the acceptance of the Post Master General of Texas. You will see exchange of mails can be made, so soon as the Post Master

of Texas. Should there be any other point, on or near the Sabine or the dividing line, the same arrangement can be made through one or by a direct communication of our Post Master General to the Post Master General here. The utility of the arrangement is self evident.

The best and kindliest feelings exists with the Govert. of the United States for Texas. I go to Philadelphia tomorrow, to countersign the bonds of the Republic. General Hamilton cannot leave earlier than the 15th June for England. I will use all my endeavors, to obtain some Money before he leaves, for the Republic. I see by the morning papers, that Bustamente's party has vanquished the Federalists, doubtful consequences. I send you a copy of my letter to Mr. Henderson at Paris, which I felt it my duty to write, as the information might be made useful and available. The time that would elapse before he could hear from you, is the reason which induced me to write him, without instructions from my Govt.

I have the honor to be, with the highest consideration and respect, Your obdt Servt

R. J. Dunlap.

Washington May 20th 1839.

The Honorable
Amos Kendall, Post Master Genl.

R. J. Dunlap to P.M. Genl of U. States

Sir, The general inconvenience resulting to the citizens of the United States and of the Republic of Texas from the present Mail arrangement, induced me this Morning to call on the Secretary of State, with a view to form some plan for the mutual advantage of the citizens of the two Countries. The Secretary advised me to call on the Post Master General who had power he informed me to make a suitable arrangement between this and foreign Governments.

If therefore you deem it not inconsistent with your power I propose that some mutual and reciprocal mode be adopted to facilitate a mail communication between the two Governments. Letters from the United States to the citizens of the Republic of Texas are sent without the postage being paid; and are consequently not transmitted. Would it not therefore be better for the revenue of the Post-office Department, to allow the letters to pass, postage free from one Nation to the other. In that event there would be no dead letters but an actual revenue coming from the letters of each Government. Should this mode not be acceptable; I propose that the Post Master at New Orleans and the Post Master at Galveston City be allowed under some fixed regulations based upon the reciprocal advantages to result to the two countries, to exchange Mails, and that some arrangement be made between the Post Master at Gaines' Ferry on the Sabine river and the nearest one in the United States. And that as soon as the line shall be run separating the Republic of Texas and the United States, that this arrangement be extended to the several Post Masters of the two Governments, on or near the said boundary line.

Requesting your earliest attention to this, I embrace this opportunity to tender you my consideration

Sir, your

Post Office Department
May 26th 1839

P. G. Lamar Esq.
Acting Secretary for the Republic of Texas

Sir,

Communications of the 22d Inst relative to the Post intercourse between the Republic of Texas and the United States was duly received.

The Department has no legal power to make or arrange treaties with other nations in which republics shall be united, except for the convenience of the other, as suggested by you. The efficiency of carrying the stipulations of compact to the subject will be considered.

Herewith you will receive a copy of a letter to the Assistant Post Master General of the British Provinces in North America, giving the outline of a plan now in operation between the United States and those provinces. I shall be happy to make a similar arrangement with the Post Master General of your Republic to be executed in the following manner, Viz:-

At New Orleans and Galveston, and our nearest Post Office to Swan's Ferry on the Sabine, and the nearest Texian Office on Sabine, be at present the Post offices between which mails shall be exchanged.

The Texian Post Master at the joint detective in the Republic, will furnish the United States post masters at the joint detectives in the United States, with a Texian Mail Bag, and will be furnished with a United States Mail Bag in return, and the mail bags passing between the detective Offices will be secured with two locks, one of the United States and the other of Texas.

The Post Masters at New Orleans and Galveston will execute and jointly make an agreement with the owners or agents of the Steam Packet running between the two places, for the transportation of the mails, to be sanctioned by the respective Departments. one half the compensation to be paid by this Department and one half by the Post office Department of Texas. The carries of the two Republics shall meet at the Sabine, and exchange mails

With every mail passing from the United States into Texas will be sent a way bill showing the exact amount of unpaid U.S. postage on all matter contained in said mail: and with every mail passing from Texas into the United States will also be sent a way bill showing the exact amount of paid U.S. postage on all matter contained in the mail.

In the accounts of the offices on both sides, these way bills will be carried into the account of the Quarter in which they bear date, though not received until a subsequent quarter, in order that there may be a perfect correspondence in the accounts. The Post Master General of Texas will be charged with the unpaid U.S. postage on Mail Matter going into Texas, and the paid U.S. postage on mail matter coming out, as shown by these accounts. He will render his account Quarterly to this Department in which he will charge himself with all unpaid U.S. postage on Mail Matter on hand in the Post Offices of Texas at the beginning of the Quarter, with all unpaid U.S. postage on mail matter sent from the U. States into Texas within the Quarter, and with all paid mail matter sent from Texas into the United States during the same time.

He will credit himself 1st with the unpaid postage

in all the Post Offices of Texas at the end of the Quarter, 2. With the postage Dead Letters from the United States which have to be returned to this Department with the account, together with the postage on dead News papers and pamphlets which need not be returned. and 3d with a Commission of 30 per cent on the first hundred dollars of United States letter postage actually collected at each post office in Texas within the Quarter. 25 per cent on the next three hundred dollars, and 20 per cent on the next two thousand dollars, 8 per cent on any amount exceeding two thousand four hundred dollars. and 6 per cent on all the U.S. News papers and pamphlet postage actually collected, being the rate of Commission allowed by law to Post Masters in the United States.

The balance due the Post Master General of Texas will, with all convenient despatch, deposite or cause to be deposited in the Legal Coin of the United States or its equivalent, with the Post Master at New Orleans, upon whose certificate of deposite he will receive credit for the amount deposited.

It would give me pleasure to adopt a reciprocal arrangement by which this Department should undertake to collect Texas postage were it practicable and expedient.

The post offices in the United States now approach thirteen thousand in number. Texas letters would be received at several thousand of these Offices, each of which would have to keep and render separate accounts for those letters. This would increase the labors of the Post offices, and of the Auditor office beyond the competency of the clerks now allowed by law. Texas dead letters would also have to be returned with those accounts, and would have to be seperated from the other dead letters in the Department, in which process it would not be possible to avoid frequent errors, unless we had a considerable increase of clerical force. It would render the business of the Department greatly more complicated, exposing it to mistake and losses, when on account of its vast extent, true policy requires that its operations be simplified as much as possible. If our Post offices were but a few hundreds instead of many thousands, it would be practicable and safe to collect, and account for Texas or Canadian postages, and no objection is made to it on the score of principle.

The proposed plan will give the Texas Post Offices the benefit of the commissions both on the United States and Texas postages accruing from the correspondence between the two Republics, only one of which would be enjoyed under a reciprocal arrangement.

I avail myself of this opportunity to assure the Minister of Texas of my high consideration and respect.

Amos Kendall.

Washington 27 May 1839.

To—

Amos Kendall, Post Master Genl.

Sir, I have the honor to acknowledge the receipt of your reply, with its enclosures, to my proposition to establish a post communication between the United States and the Republic of Texas.

R.J. Dunlap to Amos Kendall relative to mails.

The plan which you propose with the assigned I have no doubt will be acceptable. I shall forwarding it to my Government for its

I shall however

whether you desire to

entie your Dept

Post

not be consistent with your views to have this arrangement put into immediate operation by instructions from your Department to the Post Master at New Orleans and near Gaines' Ferry on the Sabine, upon the Post Master General of Texas notifying them of his acceptance of your proposition, sending at the same time his acceptance to your Department.

I embrace this occasion to tender to the Post Master General my high consideration and respect.

I have the honor to be, Your Obt Servant
P. G. Dunlap.

P. G. Dunlap, Minister
Receipt from the Republic of Texas

Post Office Department May 29—1839.

Sir, I have the honor to acknowledge
ans Kendall
P. Dunlap
in subject the receipt of your letter dated 27th instant.

A copy of the proposed arrangement regulating the Post intercourse between the United States and Texas will be sent to the Post Master at New Orleans with instructions to carry it into effect as soon as he shall receive official notice from the Post Master General of Texas that it has been acceded to and that the necessary instructions have been given to the Post Master at Galveston.

Like instructions will be sent to the nearest Post Office to Gaine's Ferry as soon as it can be ascertained whether it is held by a man who is competent to the new duties to be imposed, and if it should appear that he is not, Natchitoches or some other point for making up the Texas mails will be selected, of which you will be duly informed.

With high consideration, Your Obt. Servt
Amos Kendall

New Orleans, May 25th 1839.

Hon'l
James Webb, Secty of State.

P. L. Hammeken
wanting money

Dear Sir, Since my last, per Columbia of 20th Inst I have heard that General Hamilton left Charleston on the 8th Inst for England, via, New York. My letter to him (of which I sent you a copy) will therefore not reach him. Please do me the favor of a line per return of the Cuba, informing me whether there are other sources to expect money from as well for Col Bee's as for my own expenses. I would respectfully suggest that you should forward to the Consul here 3 or 4,000 $ of our money to be disposed of, should we have no news from Gen'l Hamilton previous to its arrival. I have done every thing in my power to raise money on my own resources, but in vain.

I have already made considerable sacrifice in order to go to Mexico, and am willing, still to make more.

The Water Witch, the schooner that arrived from Vera Cruz on the 20th inst will return; leaving here about the 5th. If the money arrangements, even the paltry sum of $2,000 can be raised I will go in her and trust to providence to obtain some money in Mexico. The average passage to Vera Cruz is 7 or 8 days the stage goes in four days from Vera Cruz to the city of Mexico.

Hoping to hear from you per return of the Cuba, I remain
Respectfully, Your Most Obt Servt
G. P. H.

Sacrificios.- French Steamer Pte
28 May 1839.

My Dear Sir

I have just received your letter of the 6th May. I have not time to write a line,- though I have very much to say. We made a merry move in coming so suddenly upon these people,- the first plan was the true one,- it ought to have opened at Washington. I have been most courteously received by General Victoria,- but the Government cannot recognize me,- so that Mexico has denied me. I have received a polite note from the Secretary of State- headed Particular and Confidential. I have also received one from Mr Packenham saying nothing can be done at this moment.

Col Bee speaking of his returning home &c.

I have proposed to open my views at Washington,- they will either send Almonte to me there,- or refer me to Mr Martinez.-

As yet the letters from the British Minister and the Mexican Minister (Martinez) at Washington, have not reached Mexico. They arrived to day. The House of Lizardi write me they are most satisfactory,- if I had where to lay my head, I would not leave yet,- but the Steamer goes in the morning,- the fleet follow on Saturday, and there is neither an American or English vessel of war here.- But in truth, we must give Santa Anna a little time,- not alone Santa Anna but the whole Govmt.

General Victoria told me he would receive me with open arms, if we would only come into the fold again,- be reunited with Mexico!!

I will furnish you with copies of all I have written- but cannot possibly now; I had no knowledge of a vessel for New Orleans. The Captain told me he was bound for New York, but would take me to the Balize for 600$. If on my arrival at the Havana, I find a vessel ready for Orleans, I will pay you a visit- in Texas,- if not I will go to Charleston as I have named the 1st July for opening the subject at Washington. Tell Genl Lamar I will carry it through,- but if not we can whip them! Vera Cruz is full of their Soldiers. The Planters of Georgia might as well expect to conquer that State with their Slaves as Mexico to reconquer Texas.-

With great consideration Your
Obedt Servt
Barnard E. Bee

Hont
James Webb-
Secty of State.

Dispatch No 5.

Legation of Texas.
Paris June 13th 1839.

To the Hont
The Secretary of State.

Sir,

I met at the American- Ministers a few evenings since, Baron Pontois, the French Minister to the United States who but recently arrived in Paris on leave of absence; and wishing to make some enquiries of him concerning the return of his Secretary from Texas, and the time when his report would probably reach Paris, and being also desirous of acquainting myself with his own feelings impressions with regard to Texas, another recognition by France sought an introduction to him. I was presented by Mr and he received me very graciously and with many expressions of good feeling for Texas and of [illegible] individually, of whom and great deal at Washington.

J. P. Henderson relative to prospect of recognition &c. &c.

So.

when it is probable his report will reach Paris, he replied that he has not heard of his return to the United States but that he expected he had left Texas before the first of May last, and that he would deliver his report to his Government in person. I was gratified instructions and communications from Pontois to find the Baron so decided in his own mind with regard to the propriety and even necessity of this Government recognizing Texas without delay. He informed me that my correspondence with Count Molé late Minister of Foreign affairs had been forwarded to him last fall and his opinion asked upon the whole subject. He said that he replied that the facts and claims of Texas to recognition as set forth in my communications to the Court, were true as far as his knowledge extended and that his impression was, that the King ought to recognize Texas; but that to satisfy his Government beyond doubt, he would advise it to send an agent to enquire into and report upon her situation, and he was accordingly instructed to send one of his Secretaries. He informed me also that he had had a conversation with the King upon the subject since his return to Paris, in which he told his Majesty that he thought he would be obliged to recognize Texas in common justice, which he assured me the King received kindly. At the same time he told me that he thought the King would not delay the recognition of Texas after the Agent reported, as he hoped it would warrant that step. I doubt not that Baron Pontois' opinion and advice will have much weight with the King, inasmuch as it will be presumed that the position which he has lately occupied has enabled him to form a more correct opinion than any other individual connected with the French Government. During the conversation which I held with him the Baron observed that he was satisfied that the true reason why England delayed the recognition, is her objection to slavery, that altho they might not acknowledge it yet he said it is true that she gives the single fact of the Constitution of Texas recognizing the right of her citizens to import Slaves from the United States, and hold them in Texas as such, more weight in determining upon her claims to recognition than all others. To which I replied that the delay of Great Britain in recognizing for that reason would not remedy the evil which she immagined existed, because Texas must continue to prosper as an Independent Nation in defiance of the injustice done her by England or any other Government by withholding recognition on that ground, and that sooner or later they would be forced by circumstances to abandon that prejudice. He rejoined that all I said was true, and that no such prejudice would influence the French Government in their decision on the claims of Texas.

Here our conversation was interrupted, when he assured me he would be glad at any time to see me and give me any information he might be possessed of. I called to see him the next day in order to say some things and ask some questions which I could not say the evening and ask previous for want of time, but he was not at home.

I learned from a letter which I received from a correspondent in New York by the Liverpool Steamer which left that city on the 18th Ultimo, that the French agent was daily expected there, that is all that I have lately learned of his movements. The last communication which I have received from Texas bears date the 25th January last and is only a private letter having received other

which I informed the Secretary of State in December last would be requisite here in the event of recognition and requested him to forward immediately. I do not believe that those I have here will be sufficient in case I shall have occasion to present them. — How will by reference to my former letters upon the subject see the reasons. They were forwarded to me since I left Texas, and it seems to me they are grossly informal. They ought also to bear the signature of the present Executive of Texas. I can only suppose the delay is occasioned by the miscarriage of despatches addressed to me. I have lately been informed by a gentleman from New York that the late Consul of Texas for that City has been removed; but he could not tell me who succeeded him. If that is the case, I can readily account for the delay, inasmuch as the new Consul would not know how to forward my letters or that I would receive them, unless he received some instructions from his predecessor.

I shall urge this Government to recognize as soon as the Agent arrives. In the mean time, I shall keep you advised of my progress in the business.

I have the honor to remain, Your most
Obedient and very humble Servant.
J. Pinckney Henderson.

Legation of the United States
Houston 18th June 1839.

A La Branche relative to claim of Campbell & Dean for Bacon.

Sir, In obedience to instructions from my Government, I have the honor to submit the claim of Messrs Campbell & Dean upon the Government of Texas for the seizure by some of its Military Officers, of a quantity of bacon, and for damages sustained in consequence thereof. The circumstances of the case are as follows:

In the Spring and Summer of 1838, Messrs Campbell & Dean stored on Red River in the State of Arkansas, twenty five thousand one hundred and ninety three pounds of bacon, and offered the same for sale. On the 20th day of November of the same year, a portion of said bacon, viz: five thousand pounds was forcibly seized, carried away and distributed to the Texian army, by virtue of the orders of Brigadier General John A Dyer of the Texian Militia, as appears fully from the receipt of the Officer by whom the bacon was seized, a copy of which is herein enclosed. The bacon being assorted and the Texian Officers having taken the choice parts of it, the claimants were unable to dispose of the remainder, and consequently were greatly damaged thereby.

The amount claimed is ten thousand and seventy two Dollars, thirty seven and half cents ($10,072.37½ct) say two thousand five hundred dollars ($2500.-) for the five thousand pounds of select bacon and $7572,.37½ct for Damages. —

In presenting this declamation, I will again invoke attention of the Executive to such illegal proceedings and acts perpetrated upon citizens of the United States by citizens of Texas, and which will be a constant source of difficulty unless adequate measures be adopted.

Having thus
I feel assured, I a

present communication, that his Excellency will render full satisfaction to the claimants.

I avail myself of this opportunity of assuring you of my distinguished consideration

Alcée La Branche.

Honorable
David G Burnet.
acting Secty of State of the Republic of Texas.

Certificate of Quarter Master on Bacon.

(Copy)

Republic of Texas } Ex 6 M. Dean and Campbell Dr
1838. Novr 20th. } To five thousand pounds bacon -

I hereby certify that I received the above amt of bacon by the hands of R. G Bayerly, 4500 pounds of said bacon were sides, the balance line, bones and shoulders for the use of the 1st Regt 4th Brigade Texas Militia. Said bacon was pressed by order of John H. Dyer, Brigadier General commanding said Brigade.

Given under my hand this 20th Novr 1838

(Signd) Edward West. Quarter Master
1st Regmt 4th Brigade T. M.

Approved Febry 7th 1839
(Signed) John H. Dyer
Brigadier Genl 4th Brigade Comd.

Gen. Hamilton acknowledging recpt of Com as Agent to Europe.

Philadelphia
June 22d 1839.

Sir, I do myself the honor to acknowledge the receipt of a despatch from your predecessor James Webb Esqr covering the commission which his Excellency the President has been pleased to honor me with as a diplomatic agent to be associated with Genl Henderson in treating for a recognition and treaty of Commerce and alliance with France.

I beg you to tender to the President my profound sense of his favorable consideration of disposition to serve your Republic, and to assure him that my best efforts shall be exerted in conjunction with General Henderson to accomplish the objects of his mission.

I desire to have it distinctly understood that I will accept neither outfit or salary for these services, in which if I contribute to succeed I shall find my highest reward.

I beg leave likewise to assure you that the wishes of the President shall be complied with in regard to General Henderson's salary, as Mr Burnley and myself will take out a remittance specially to meet the order which Genl Henderson has received on us from the Department of State.

I have the honor to remain
Sir, Very respectfully
Your Obedt Servant
J. Hamilton.

Honorable
David G Burnet
Acting Secty of State
Texas

To the

President,

Philadelphia June 22d 1837.

Sir, General Hamilton informed me to day that Col Bee had written him that the Government of Mexico had or would send a private Agent to New Orleans to treat with him for a final peace &c, I presume you have been advised of this, but for fear that some accident may have kept back this information I now write.

R. J. Dunlap on various subjects - Indians, Mexico, Seamen, Bombardment &c &c.

Can you not send me some evidence of the incursions of the Indians from the United States into Texas, upon such a shewing this Government will do all her duty requires, with perhaps this exception. Mr Forsyth said that I was under an error in relation to the duty of the United States, upon one point. That this Government was not bound to recall their Indians — who went to that country peaceably before the revolution. This point he said had been somewhat settled by Mr Poinsett while he was in Mexico. I think differently especially since this Govt acknowledges the entire obligations of the treaty of 1831 between Mexico and the United States. But before I made a call on this Government on this point, I thought we had better settle the other question that of incursion, which as I before said must be based on evidence, as the agents of the United States have denied this fact.

In a personal conversation with Mr Forsyth on his way to Portland the other day he went further upon the question of the mediation than I understood, when I wrote from Washington. Mr Ellis was directed to say, that the United States had undergone no change of opinion relative to their Texian difficulties, and was directed to refer, to a conversation which General Santa Anna held with General Jackson, which was involving his fidelity as a man and an officer, to fulfill his engagements with Texas, carrying out very strongly the truth of the charge, that there was at least a strong american feeling with this Government favorable to Texas. This Mr Forsyth said he gave in the strictest confidence and so do I impart it, if I have not previously done so.

I am really annoyed daily about Texas, and the signing of the bonds, — pulled all about, which by the bye, is all truly flattering to the new Republic.

I have no doubt if Col Bee had have remained until Mr Ellis' arrival, that he would not left as he did. Mexico will no doubt accept the mediation of the United States. France and England will acognize Texas as a Nation this season.

Mr Burnley left to day for New York and will leave there on the 23d in the Garrick for London, Mr Biddle rode with him part of the way. I have no doubt about success of the loan, altho money here is worth with the New Yorkers 1¼ to 1½ per cent per Month

Another schooner will leave next week. Three weeks thereafter, one of [illegible] Brigs has been will soon be ready, they are ornament to our

that the laws were strict, that, he could not ship men in those vessels, If you want seamen you had better authorize him to ship them in other vessels, He said you could order the schooners from Galveston under our own flag to New Orleans, and allow the Captain to announce her arrival with 50 or 100 men and that they would not notice this but allow her to depart with this number.

I enclose you Mr Grahams bond, He is willing to accept of the appointment of Consul for this city. I prefer him most decidedly to either of the other gentlemen recommended, he is connected with his Father who is one of the wealthiest Merchants in the City, besides all this he is a Gentleman of fine habits, intelligence and good character in all respects. Mr Allen is next best. Mr Graham is worthy of almost any trust, and would be creditable to the Republic, He is a man that will suit your taste

I have the honor to be with great consideration

Your Obdt Servant

R. G. Dunlap

To his Excellency

Mirabeau B. Lamar.

Legation of the United States

Houston 28th June 1839.

A La Branche relative to Bacon affr.

Mr La Branche presents his compliments to Mr Burnet and acknowledges the receipt of Mr Burnets note in reply to his communication relative to the claims of Mc Farlane Campbell and Dean. As Mr Burnet awaits for information from Brigadier General Dyer on the subject. Mr La Branche declines making at present the observations which the note of Mr Burnet suggests.

Mr La Branche begs Mr Burnet to accept the assurances of his distinguished consideration and esteem.

The Hon.

David G. Burnet

Acting Secty of State.

New York. June 28th 1839.

R. G. Dunlap containing a variety of matters,

Sir, I have the honor to acknowledge the receipt of your communication with its enclosures touching the digested plan, of the Mexicans and Indians for the annoyance of Texas, I shall without delay lay this matter before this Government, and from the evidence, as well as the right and justice of the case, look for the most favorable result.

I informed the Secretary of State this day, of the appointment of a Commissioner &c to run the line between the two Governments I was very happy to receive your letter on this subject, as this Government had manifested some solicitude on the question

I have the honor to enclose you a copy of a letter which I felt it my duty to write to Mr Forsyth, after Col Bee's rejection by Mexico. I wrote this for two reasons, first that the Mexican Minister here should be advised, that however desirable it may be to our Government to have peace, that she will be ready to meet the alternative, and that she intends not to be delayed long by false hopes. and secondly to show this Government, that while

[illegible] Texas will not b[illegible]

the Ports of Mexico. These are inferences clearly to be seen from my letter. A blockade at this time, would be considered unkind, as it would effect the commerce of the United States. Great Britain would not admire its consequences. In fact it would injure our Negotiations for a loan, for the Government to assume an appearance that indicated war. After this shall be effected, the Government with ample means, will be left to consult its own views of the course best to be adopted, for a final termination of the existing difficulties with Mexico.

I arrived here last night at 1 o'clock, and met Col Wells this morning with your despatches, he arrived yesterday. Mr Dangerfield came here with one.

If any thing shall occur to defeat the loan, it will bankrupt our Commissioners. They obtained the advances for the Government on their own responsibility. You are aware they cannot sell the bonds unless they get par for them under their instructions

If the negotiation shall be transferred to Washington, as I believe it will if we have any with Mexico, you will see the necessity of giving me some instructions, if the Government intends to pay any thing for a treaty of peace and limits.. In your instructions you will allow me I hope, to direct the attention of the Government to the extention of our limits to the Pacific. This would make Texas command the respect of the civilized world. If Mexico will enter into a treaty in good faith, to settle our difficulties, she will expect to base it on a purchase by Texas. When we commence a purchase, it may be easy to extend our limits, I make this suggestion without argument for the consideration of the government. I am aware that my attitude to the Government forbids one to offer advice, still I hope my solicitude for her prosperity will be a sufficient apology for the suggestions which I have made.

I will send this Government a communication tomorrow evening with the evidence touching the Indian question.

I shall be here 8 or 10 days, I have to countersign a new set of bonds, printed in a form, to be redeemed by the sinking fund, at the direction of the Government.

I have seen copies of letters from Mexico, which Mr Treat will hand you. The secret Agent of Mexico it is said is now in New Orleans. I am afraid there is some decoying or deluding design in this movement. I hope however my entire want of faith in the present ruling powers of Mexico may prove, that my incredulity will have no future developements to sustain it.

Mr Saligny informed me this morning that he had not yet reported to his Government, he regretted that he had not. He goes on the 1st July, direct to France, I believe France will act without delay on his report.

It is said that Santa Anna has sent a secret Agent to England, this mission has various objects according to conjecture, some think it is to sell Texas to England, some to borrow money, to some to prevent the recognition of Texas here.

Public opinion in the United States, has rec. grown with a strength and rapidity, favorable to the rec and filing of Texas, for our Government, that she need any emergencies which her enemies may cast up.

I am

R. G. Dunlap to Jnt Forsyth relative to Mexico &c.

Washington June 26th 1839

Hon.
John Forsyth. Secty of State
Washington city.

Sir, I have the honor to inform you, that the Government of Mexico declined receiving our Minister. Col Bee writes me from Havana that notwithstanding this he was treated with the utmost kindness and courtesy, and that he entertains hopes of a final settlement of our difficulties with Mexico during this season. I am inclined to think that Mexico will not refuse the mediation of this Govt. But if she should you will readily see the importance it will be to my Government to have as early information of the fact as practicable.

As they now stand you are aware that my Govt will feel that her hands are somewhat tied. Hence it is that duty requires that I should loose no time in endeavoring to attain the earliest advice of the determination of Mexico — relative to the tendered mediation of the Government of the United States to that Government of which you did one the honor to inform one previous to Mr Ellis' departure from New York. This attitude of the question and prospect of pacification will I have no doubt restrain my Governmt from any movement against Mexico for the present. Respect for this Government whose interposition for peace has been influenced by a friendship and disinterestedness for both Mexico and Texas, will I have no doubt have its desired and forbearing consideration with the Government of Texas.

My Government desires peace, and the President will do every thing in his power to obtain it that will not impugne the national honor of the Republic.

I embrace this occasion to tender to the Secretary of State renewed assurances of my highest consideration and respect

R. G. Dunlap.

Col Bee — is return to New Orleans from Mexico &c.

On board Barque Roger Williams
June 1839.

Hon James Webb
Secretary of State.

Sir, I left Havana on the 12th inst, in the Roger Williams, for New Orleans, having received every conceivable attention from Admiral Baudin who, I find perfectly charmed with you all, by the bye, he says, if not ordered to France, he will go to Texas, take horses and ride over the country. I have assured him, the President would furnish him with every facility.

The letters I received from the Lizardi's, just as I was leaving, would have justified my remaining, - if I had had where to lay my head, but the French Fleet were to sail for Campeachy on saturday, and there was not an English or American Government Vessel there. There were a few American and Spanish Merchant sloops, but I felt it would [illegible] to the honor of Texas, or my own

and therefore, at once proposed to the Secretary of State of Mexico, he should appoint an agent to meet me at Washington, if they were disposed to open the negotiation. I wait with infinite anxiety to know the result upon my arrival at New Orleans.

My letter to you written in great haste, the night before I left Vera Cruz, gave you my impressions there without having informed you of any preliminary steps: this, you will discover in my letter of the 24th May now sent you. On the whole, "doubt not but success will fashion the event in better shape than I can lay it down in likelihood." Indeed, have no fears, - say to Genl Johnston prepare moderately - but to be assured he will never have a Mexican Army to contend with. They have no Navy: they have not a dollar in their Treasury: they have not paid their Officers or men for years: they owe Great Britain 60 Million of dollars: they are paying France 200 000 dollars every two months: how? by borrowing of the Merchants at 40 per cent discount and giving or-ders on the Custom Houses. The American Minister Judge Ellis is to receive monthly from the Custom house so much - and if not, then half the amount. When then are they to get Money to annihilate Texas? Sir the question is settled.

New Orleans July 6th 1839.

Recd letter from Col Almonte

On my arrival I found a letter from Col Almonte saying "I was desired by the President to open my views". the very point they had refused - had I received this letter on board the Fleet, I would immediate-ly have obtained re-admission into Vera Cruz - but it is best as it is. I am satisfied Washington will be a better atmosphere, than Mexico. I am hourly expecting the Vessel from Vera Cruz.

Mr Hamonetin will be the bearer of this communication. I send him in order that the President may sanction my proceeding to Washington, and extend my instructions should he deem it advisable, but they are so full and so admirably drawn, that I do not think you will have much more trouble

Texas Money Value and how it might be improved

I found Texas Money at 25 cents on reaching here. - I instantly went to the Brokers and told them it was intrinsically worth 75 cents, and that there was every probability of our commissioners succeeding in Europe; to day it is 40 cents, and the moment it is known, that you have an advance, as it must be, through the Bank, it will be higher. If the Banks of this city were worth a farthing (and they are not) I would have obtained One hundred Thousand Dollars, and bought up all our money - for the Government - and even now, I would suggest the Secretary of the Treasury sending Col Love by the return of the Columbia, with authority to do so. - of course it will be enhanced but many thousand dollars will be gained by the operation. Mr Bryan the Consul, might be authorized: I have found him very so-licitous to forward the interest of Texas

I am with great respect
Your obdt Servant
Barnard E. Bee

Receipt of Alex LaBranche acknowledging the receipt of a draft for a certain sum of money from Secty of State

I the Undersigned Chargé d'affaires of the United States of America near the Government of Texas, duly authorized by the President of the said United States, as appears by a power dated the tenth day of May, 1839, to receive the money due the United States by the Government of Texas, agreeably to a convention entered into between the two Governments, do hereby acknowledge to have this day received from the Hon James Webb, Acting Secretary of State, a draft to the amount of twelve thousand, four hundred and fifty five dollars drawn by the President of the Republic of Texas on the Merchants Bank of New Orleans, to be paid at sight in Silver, and I do hereby give full acquittances to the Government of Texas, for all claims against said Government, by the Government of the United States, for the capture, seizure, and detention of the Brigs Pocket and Durango, and for injuries suffered by American Citizens on board the Pocket,— The present acquittance to take effect as soon as the draft shall be paid.

Given at the City of Houston under my hand and seal this Sixth day of July A.D. One thousand eight hundred and thirty nine

Alex La Branche

Texian Legation
Despatch No. 6.

Paris July 26th 1839.

To the Honorable
The Secretary of State

J. Pinkney Henderson to Secy of State concerning an interview with Marshall Duke of Dalmatia about the Recognition of Texas

Sir

On the 16th Instant I dined with the marshal Duke of Dalmatia, Minister of Foreign affairs and President of the Royal Council, and after dinner I took occasion to speak to him on the subject of recognition of the Independence of Texas.— He does not speak English and on that occasion; I availed myself of the kindness of the marquis Ramigny the French Ambassador to Spain who speaks English perfectly, and whom I had previously enlisted in behalf of Texas.— I commenced the conversation relative to Texas, by asking the Marshal, whether or not, he had received the report of the Agent, which his predecessor Count Molé had sent to Texas, to enquire into and report upon her situation &c.— He answered me in the affirmative. I then referred him to the several communications which I have heretofore addressed to Count Molé in which are set forth the grounds upon which Texas claims to be recognized by France.— I begged him to remember that more than a year had elapsed since I first laid the claims of Texas to recognition before the French Government, and that nearly ten months had passed since Count Molé informed me that he had in pursuance of the Kings order directed that Agent to proceed to Texas— That the Count had at the same time intimated to me that it would be agreeable to His Majesty's government if I would not leave France as I then intended, but await that Agents report— That he had at the same time promised to give me a definite answer to my application for recognition as soon as it should be received— that with that understanding I consented to remain— that having fulfilled my part of the engagement, I then felt myself at Liberty so far as the government of France was concerned, and bound in duty to my own to urge a decisive answer upon that point.— The Marshal replied to all this by assuring me that he had every disposition to act in the case as soon as possible— that he had directed M. Saligny to come in person to Paris— that he daily expected him to arrive— that his own time was entirely occupied with domestic affairs of State, and would be so for eight or ten days more, about which time he expected the two Chambers would adjourn, and that he would then take up the subject of my application.

Copy

and as I had not conversed with him as fully as I desired and intended, I sought a second opportunity the same evening and was assisted by Mr Hughs Chargé de affaires of the United States to Sweeden, as interpreter— who speaks French correctly and who has taken great interest in the cause of Texas both here and in England by liberal and just representations of her importance &c— I then said to the Marshal, that in addition to what I had already said to Count Molé in favor of the recognition of the Independence of Texas, I begged leave to add setting forth with all due deference, that France never had, nor could she ever expect to enjoy a just share of the trade and good will of Mexico— that no other nation could expect to reap any great benefit by their intercourse with Mexico so long as England continued to possess the influence which she has heretofore possessed and exercised in that country to the prejudice of all other nations— that the recent chastisement which France found it necessary to inflict upon Mexico would not be soon forgotten and would strengthen the influence of England in that quarter— that policy would seem to dictate that France should do every thing to encourage a division of that country, the more especially when by such division, a part of it would fall into the hands of a people free from such prejudices and influence.— that the government and people of Texas were more disposed to favor the French than the English nation whom they in some degree regarded as the protectors of their enemy Mexico.— that France by taking the lead of all other European nations in recognizing Texas and forming a Commercial Treaty with her, would engage the affections of our People and draw the trade of Texas to herself which could not be easily diverted from her, even though England should hereafter hold out greater advantages— that the commercial arrangement which I had already had the honor to make with the French Government, though entirely liberal in its stipulations and satisfactory under the circumstances and highly creditable to the wisdom and liberality of the French government, was not likely to satisfy the People of Texas— that although it secured to the Ships, Cargoes and Citizens of Texas every facility and advantage in the Ports of France which are, or may hereafter be enjoyed by the nation most favored, yet in as much as under the present state of affairs Texas could not have the benefit of Consuls in France whose authority to protect the interests and trade of her citizens would be recognized by the French Government, her merchants and traders would not feel themselves and property fully protected in French Ports, and consequently would continue to seek a market in the United States where every such protection was offered, although they might find the trade to that Country less profitable.— The Marshal then asked me some questions concerning the nature of the Commercial arrangement which I had alluded to, as having been made with Count Molé, which convinced me that he was entirely ignorant of it.— I explained it fully.— He observed next that he would take the earliest opportunity to examine the whole matter and see if that agreement needed any extension or amendment, and that we might make that the basis of a more formal Treaty.— I replied that all I desired was to put that agreement (which is sufficiently comprehensive) into the form of a complete Treaty between equal and independent powers.— I also hinted to the Marshal that if his time was too much engaged, that it would be agreeable to me if he would authorize Mr Pontois the French Minister to the United States, now in Paris on leave of absence, to negotiate with me on the part of the French Government.— He rejoined that he supposed that I was done, and then asked what were the nature and extent of my powers.— I replied that I was doubly commissioned— First as Agent to solicit the recognition of the Independence of Texas, and secondly as Envoy Extraordinary and Minister Plenipotentiary with full powers and instructions to treat of and concerning amity, Commerce & navigation and that I would lay my credentials before him at a time which would suit his convenience.— He rejoined that what I had said was perfectly satisfactory in that respect, and further observed that he would be glad if I would see and converse with Mr Pontois who would be fully authorized on the part of France to act in the negotiation of a Commercial Treaty and that after that would follow as a matter of course.— I then took leave

I called on Mr. Pontois according to

general Conversation about his Reception &c

Seen on Board from the Mexican Envoy Conversation with him— He replied that he had not— that he was called at the Foreign office to see him the day previous, but he was too much engaged to see him— Mr Thorn observed that strangers that he could do nothing on the business officially until he was formally received by the Mexicans— that in mean time he would be considered to act in the business merely to speak to him freely on a subject connected with the negociation, and that until he should be authorized, we could regard all that passed between us as unofficial— to which he readily assented— Mr Thorn observed that in as much as the first step to be taken in the negotiation was to ascertain precisely powers, should he then have the credentials necessary— after the Envoy had read over his credentials and Mr Thorn's letter of credence to the King, he observed that Bourgeois was no longer President of Texas— his objection was anticipated and accordingly wrote last winter to the Secretary of State several times requesting him to forward to me a new commission and credential from the present Executive of Texas, but as no attention had been paid to that request, I was compelled to admit the sufficiency of those held. According I replied to that objection that I was aware that in all Monarchical Governments the authority of all officers expired with the Monarch, and that in all such instances it is necessary that the newly invested Sovereign should recommission the Ministers appointed by his predecessor— that the reason of this rule is, that as in Foreign Missions represents the Sovereignty of his Country— that the Minister of a Monarchical Government represents the person of the Monarch and thereby the Sovereignty— that even that Monarch dies, there is a complete and entire change or transfer of the Sovereign power from one person to another who cannot be supposed to be represented by a person chosen by his predecessor; but that in all Republics the People have the Sovereign power, who never die, and consequently there can be no change or transfer of Sovereignty— That the President of Texas not having the Sovereign power invested in him, but being confined by the Constitution to specific limited powers cannot bring his Foreign Ministers under the above rule— that Constitution only gives him power to remove from office, Ministers appointed by his predecessor, and until he actually exercises that power, all those whom he found in office can rightfully continue to discharge their functions— Mr Thorn expressed himself entirely satisfied on that point, but observed that he should feel himself bound nevertheless to mention the circumstance to the Minister of Foreign affairs— I begged him to repeat to him at the same time what I had said in support of my Commission, and which he assured me he would not fail to do— I then fully persuaded that my powers were regular, but nevertheless I regret that I have not been furnished with such as would have been indisputable— Mr Fontois then observed that the negotiation might be attended with some difficulties— I replied that he would much obligeme by intimating the points on which the apprehended difficulties might arise, that I might be able to meet them. He replied that the subject of Slavery was what he chiefly alluded to; without allowing him to proceed further I observed that so far as the Slave trade with Africa was concerned

Concerning this question

in his objection either directly or indirectly, I set myself as the representative of Texas bound to satisfy every anxiety or enquiry of France— that I could assure him that Texas was as anxious to prevent that traffic as France— that the Constitution expressly prohibited it either directly or indirectly— that no negroe or mulatto slave can be brought into Texas except from the United States of North America, and that when brought from that Country, they must have been slaved according to its laws— and in as much as the United States have entirely suppressed the African Slave trade so far as her own citizens are concerned the Laws of Texas prevented the possibility of increasing the number of slaves in the world under her policy— that their location might be changed, but their number can

[illegible]

to Slavery in Texas, because so far from that, other nations have a right to acquire. But beyond that seemed not to touch. That so far as regards Slavery as it really exists in Texas, it is exclusively a question of domestic policy with which no foreign nation has any right to interfere; and that I wished him to understand me distinctly on that question, and to say to me whether I had not even misconceived that question any more than I seemed to misconceive any other question of domestic policy. He then said he wished to explain. That he wished me to understand him distinctly on this point. That the King has no disposition to interfere with the institutions of Texas, and that so far as Slavery is concerned, he had had no conversation with His Majesty upon that subject; and that he positively declared that it was a question that did not concern him or his Government; but Mr. Poulett observed that there might be some objections raised in the Cabinet on the question, and that he was happy to hear the explanation which I had given on the subject of the African slave trade, which he thought might and would satisfy every prejudice which might be raised against the recognition and treaty with Texas, and that he would not fail to inform his Government of what I had stated concerning the belief we entertained on the subject. I presume that he alluded to Mr. Pakenham the minister of France who is a warm abolitionist. He then said that France wished to act with England and France in the question. And then observed that Lord Brougham in the British Parliament had recently declared in answer to some questions proposed by Mr. O'Connell, that he had entered into no arrangement with Texas. I replied that he was mistaken. That the interrogatories put by Mr. O'Connell only related to recognition and Slavery. That Lord Palmerston answer only embraced those two points, and that he would give in the foreign office a copy of the arrangement that was entered into with England, as I had sent me to Count Molé last fall. I further observed that England would recognize at once as France & Texas that step, as it would be a dart of shield against the attacks of the abolitionists of that country. That the British Ministry are convinced that Texas is entitled to recognition, but that they dare not recognize for fear of offending the O'Connell abolition party who now in fact control that Government. He agreed that there was much truth in what I said. I also said to him that I hoped France would disregard every thing but the justice of the claims of Texas, and to secure her honor and interest, and not wait for the action of England. Mr. Poulett then observed that he thought France ought, and would be disposed to treat with Texas on the same liberal spirit of liberality which characterized the treaties between France and the United States. He also spoke of being disposed to establish even a more free and liberal intercourse between Texas and France. I did not reply directly to the latter part of his speech, as I suspected he might allude to a reduction of the Tariff of Texas on French wines and silks, and also as desirous things to approach as near to a conversation as possible before any difficulty is raised. Therefore I replied in vague terms that Texas only wished to establish an intercourse upon terms of equality and reciprocity, and that she would willingly give to France every advantage and privilege in trade and Navigation which she would extend to any other nation. He also said that from what had already passed between the King, the Minister of Foreign Affairs and himself he thought that the course which the Marshal would propose would be to make the treaty of amity and commerce the same act with recognition. I replied that I would prefer the King to recognize Texas as an Independent nation first, that I might enter upon the negotiation with France as the representative of an equal power. That I was sure France would do nothing more than Texas is willing to grant—that if recognition and the treaty of commerce were one and the same act it might seem that Texas entered the negotiation under some restraint, and that France had extorted from her a grant of privileges which she would not have given after she had been recognized as an equal, and that I would not give a privilege [illegible] that I would not grant with equal freedom after recognition of France—to mention my request to Marshal Soult when he saw him next—

Portalis called at my house to inform me that he had seen Marshal Soult [illegible]

The disposition of the King

Conversation with Mr. Poulett

Mr. Poulett

Conversation with Mr. Poulett

Matters in general

Conversation with the Marshal

would that the Marshall had authorized him to see me and discuss the several points relative thereto, without making any distinct proposition, because he was not come to take the opinion of the rest of the Government, and more especially the minister of Commerce without whom it was important to conduct upon the commercial points of the treaty— I replied that I was not objected to discuss the matter in a friendly and Cavalier spirit— However as I had not to inform me how the Marshal had received my first communication to the effect that the King should recognize Texas by receiving me in form as the Minister, would there enter upon negotiations of a treaty— He assured me that Marshal Said that it might be done as a Separate article or act (which shows that the Marshal is unacquainted with diplomacy) Mr Pontois however then explained to him fully the reasons and grounds of that proposition as I gave them to him as my previous interview the Marshal chose to receive that point also as a Cabinet question— I again urged Mr Pontois to say to the Marshal, that I would not insist on that unless he himself French thought it was material and could do it for the good of both parties— He promised to do it as soon as possible, and would inform me— I remained to dine with him and then entered into a long detail of what he could urge, and what I could answer, on the supposition that the French Government would object to the treaty in order to ascertain the state of French mind and French views (and understood) and made him write down the several points as they were given by me, the liberty I took. Several times during the evening, the latter gave me to understand that the former had received no late dates, the latter gave me to understand that he had received late dates, the latter gave me to understand that he had received late dates, the latter gave me to understand that he had received

I send this Despatch by the Liverpool Steamboat via England, as I wish you to have the views of my progress in the most speedy manner, and as frequently as possible. — I have just accidentally heard of the arrival of Mr Burnley in England, and that General Hamilton will not arrive for several weeks. —

I have the honor to be. Sir.
Your most obt Humb. Servant
J Pinckney Henderson

Merchants Bank Orleans 9th July 1839

Hon James Webb.
Secretary of State

My dear Sir

P.S. Rec'd to Secy of State

I have exerted every nerve to expedite Mr Riley — you had not notified this Bank that you expected funds. — and on their arrival, they proved to be post notes payable at 6 months, which for purchases of supplies &c will prove as good as Cash, but for procuring Silver which was indispensable to Mr Reily which was a different thing, but this was not all. — The Bank was duly authorized to deliver to the order of Gen Lamar the two hundred thousand Dollars, and were he to send an order to Nassum for that amt they would be obliged to pay it; hence I had to get them to advance me Twenty Seven thousand Dollars in their Bills — and with this went into the market and bought Silver. — The Secretary of the Treasury therefore in drawing, will recollect to do so for the amount — less twenty seven thousand Dollars he will also be good enough to sanction what I have done and to empower the Bank to pay themselves their discount on the amt advanced. — but upon this point the President of the Bank has written to Gen Lamar. — The Secretary of the Treasury will also be good enough to forward me a draft to cover the amt I have paid for Insurance to Nachitoches — for the purchase of Silver — for boxes, and for drayage, amounting to two hundred and fifty Dollars. I will send the receipts. — Texas will have to give me a domain at Austin. — I am always on the Stretch for her. — upon reflection I determined to keep young Hamilton — as there was little chance of any thing being gained by taking a Schooner — he will be with you by the Columbia — having arrived just too late for her last trip. — you will be pleased with the form of the bond sent on by his Father. — Mr Treat arrived to day — and will visit you. — The Secret Agent has been with me as I wrote ever since my arrival — unknown as such, even to Mr Hammekan — who knew him in Mexico and saw him daily here — he did not wish to be known unless I acknowledged him — which I did not wish to do — from motives until I heard from Mexico. — as I was in direct correspondence with the Secretary of State Guerrero — the Water witch — that I have been so anxiously waiting for arrived to day — bringing me but one letter. — from Almonte — and without supposing I was still in Vera Cruz — He says, "you are authorized to open your views to the Government in writing — as I communicated to you in my last letter." and adds, I am requested by the President to say — Padre Muldoon was not imprisoned because he accompanied you — but because he left Mexico for Texas without authority." Now my dear Sir, I assure you the Padre left expressly with Santa Anna's authority — as he showed me his passport — the truth is he was imprisoned for accompanying me but merely for effect — they are a strange people. — The Secret Agent had received full communications from the person behind the scene — he says, "there will be no difficulty — no matter who is at the head of Government — but it can only be approached in one way — and it may be tried in any other it is in vain." Gen Hamilton is too aware of this, that Mr Treat of New York has been sent to me as the person to visit Mexico, and prepare the way — the truth is the officers of Gen are waiting for their fee to commence operations. — I was aware of this — I was solicitous of breaking ground without it — &c the way would have to be paved — his m

I think he has long since done so— it was with this view I wrote the other day for au-
thority to draw five thousand dollars to commence with, my impression is that I will
have to spend from Five Hundred Thousand to a million in this way— but still I hope
to do it out of the Five Million, in other sense, to make the Five million effect the
objects— I shall offer them silver instead of our bonds. I would accompany Mr Treat to
Texas but really having nothing to add, and am greatly inclined by going to Pensacola
I shall meet the Constitution, who will bring answer to letters carried out by Judge Ellis
notwithstanding Jarells Proclamation— I pray the President not to incur any very large expen-
-ense for the Mexican 60 Thousand Warriors, as I assure him he will never see on the field
of battle with them again— Santa Anna Gadsby danced as a blind, and to convince
them that the "Calumny" of his having promised two millions to Texas for his liberty is
unfounded. I have never explained to you why I did not propose an armistice— I found
they were so elated at the departure of the French and the putting down the Federalists
that they would have attributed it to apprehension on our part, to that of course, I never
named it, on the contrary I always took high— but contrary grounds with them— As
soon as you are aware returned from England, about a fortnight before I arrived at Vera
Cruz, I assure you he wrote," that he was afraid Lord Palmerston would acknowledge —
"Texas" he failed you know in procuring a dollar. While at last had an interview with
a Mr Wright who says he is a Texian citizen and has given information to the Secretary of war
relative to our Indians, he assured me they were all restless and require close watching —
he thinks the United States wouldn't require much to induce them to occupy our Prairies —
but apprehend nothing further at present— He is on his way to Mexico and means to be
promptly on the Rio Grande with a view of knowing all their movements— He proffers his services
to keep us constantly advised— and wishes to know of us will recompense him. I have assured
him he will be compensated according to the accuracy of his information. I am indeed
not sorry to have met this man as he is worthy. We ought to have at this moment an individual
who will keep us informed of all minor steps— Every thing ought to be done now to bring
currency at par it would be a great relief to the officers of Government as well as to
the Community at large, but on this subject I need not say a word— I commenced
this letter in the Merchants Bank three days ago— expecting young Hamilton would
have got off that night I close it now as a vessel is to leave to night and may arrive
before the Columbia.— I am sure you will be anxious to hear from me and at all events
will be gratified to learn that Mr Reily had left and with the Rhine.

I am with great regard esteem and
respect Yours &c
Barnard E. Bee

concerning 5 Millions to effect certain purposes

Matters relating to Mexico in general

information from Mr Wright concerning Indians

New York July 21st 1839

Mo. B. Lamar President
of the Republic of Texas

My dear Sir

RG Dunlap to the President

The President and Mr Forsythe reached this city a few days after I sent my communication to the State Department touching our Indian relations with this Government— I saw the President and Mr Forsythe, they both said that this Government would do what was right, and that the matter could be referred to Mr. Poinsett the Secretary of War— I wrote Mr Roberts to call and see Mr Poinsett, which he did and which resulted favorably. Mr Forsythe informed me, that he could not consent to allow the right to search American Vessels as this had been refused the British Government— but that if there was danger of Negroes being smuggled into Texas, under the American flag, that some armed Vessels would be ordered to cruiz in that quarter. I thought it best after this to make no written proposition on the subject— Mr Roberts will enclose a copy of my letter and Mr Forsyth's answer, to the State Department— I insisted in a personal conversation with Mr Forsyth, that this Government was bound to recall all those Indians [illegible] ted to Texas after the Treaty of 1831 between Mexico & the Unit[illegible]

concerning Indian relations

concerning Negroes & smuggling into Texas

Mr Forsythe seemed to think that our Government must pass some Law or you must issues a proclamation forbidding the incursion of the Indians into our Territory, and order those now within it to leave, that is, that portion who emigrated to the Country without the Consent of Mexico, previous to the revolution, and without the Consent of Texas since that period. He then said if the Indians refuse this, do not leave and we find it too great a task to remove them, that upon an application, this Government would keep us. I give you all this that you may see more clearly the disposition of this Government, than may appear in any correspondence. Capt Moore's resignation has been accepted. He is only delaying his departure for the Republic, to witness a new invention of bursting Shot. They are fired like other balls from the Cannon, and explode after they strike the Vessels, sticking to the same by a percussion Cap, which goes off from the jar or concussion by the Sticking of the Vessel. it then takes fire as it explodes, and is believed to be the most destructive mode yet discovered for naval warfare. He is also attending to the Carbines and pistols for the Vessels &c. Col Langerfield is here and waiting with much solicitude for orders &c. to complete the object of his mission to the United States. The best and speediest plan to obtain tried Seaman. which I believe you will soon want, is to send the Vessels back to this or some other port, and let the officer Commanding announce his arrival with the number of men which it is expected he will want, when he leaves no notice will be taken. This is the mode advised by those best Skilled in this matter. This is the best part for such an enterprize as Concealment is more certain amidst such large and busy masses as continually throng this City. I have heard nothing from Mr Treats Mexican Agent at New orleans, and I do assure you I am very Skeptical about this whole affair. A private letter reached here a few days Since from the City of Mexico, stating that Genl Santa Anna retires to his farm, and that Genl Bustamente takes his place. This is to be relied on. This movement satisfies me that Bustamente intends to invade Texas, and that Santa Anna intends to place himself in an attitude to his own people, to take advantage, of the defeat and failure of Bustamente, which he anticipates as certain. I have no doubt that Santa Anna has done all he could to induce Bustamente to invade Texas, looking at this movement as his only hope for power at home, to get clear of Bustamente, is with him to be without a rival at home. I saw yesterday two Intelligent gentleman from Mexico, who said to me, that the only reason, that induced the central party to call Santa Anna to the Presidency ad interim, was the fear that he would declare for the Federalists, in which event they are of the opinion, that the Federalists would have succeeded. They say there is a Cat in meal by his retirement. These men doubt the ability of Bustamente to organize a competent force to invade Texas and with the Command of the Gulf, which you may soon have, without a blockade, they say Bustamente cannot annoy us long, and cannot sustain his army with either provision or ammunitions of war. I give you this for what it is worth. an American Brig the Casper Hanover left here yesterday loaded with powder for Mexico. Several Superb Vessels are building here, as is believed for Mexico. Mexico has but one Schooner left. The French refused to restore the Vessels which they captured Mr Saligny left a few days since on one of those captured Vessels for France. He will report favorably, and says he has delayed, his report until he could go and enforce it in person. France will act immediately on his report and I have no doubt England will then follow. Knowing the Catholic prejudices of the King of France, I suggested to Genl Henderson, the propriety to say to the Popes Legate of Paris, that the appointment a Bishop for Texas would be acceptable to his Government. Dr Franklin done when he was the Minister to France, and an appointment was made, for the United Mexico had induced all the Catholicks Countries to believe that the revolution caused alone by hostility to the Catholics. The Popes appointment [illegible] recognition of Texas by France. It will great [illegible] forbid by the liberal toleration of [illegible] with this movement.

Genl H.

Concerning Indians —

Concerning Seaman Vessels and various Subjects

Concerning Some information from Mexico

Mr Saligny Departure and relative matters

and has done Texas great goods. He is an able Spirit and deserves our gratitude I do not like to give any advice or make suggestions which may possibly have an unhappy influence on the affaires or interest of the Republic.— But if you have any confidence in this Mexican Agent, about which Mr Treat has or will inform you and of his power to settle our difficulties with Mexico— I would not allow our Commissioners to sell more than one million of the Bonds at ten per cent.— They are all filled at ten per cent. If we have peace, or a recognition by France and England we can get as much money as we want at 5 or 6 per cent. I said this much to Genl Hamilton and told him it would not do to give ten per cent after either of these events.— He replied that we could not get the Loans until after the recoquition by France or England you know the delicate and critical situation of the Country better than I do— and will know how to treat those suggestions.— Genl Hamilton expects to leave about the first of August— I do not doubt his success If we have an invasion which is very probable— the money will be indispensable at almost any sacrifise.— I give this to you as a private letter, but you can use it as you choose, my official letters I sent to the State Department. I am much pleased with the arrangement of your present Cabinet.— Dr Moore of Houston was here the other day, and spoke of you and your administration in the most flattering terms.— I saw Mr Todd a few days since, he is hurrying the completion of our Vessels, nothing shall be left undone within my power to be ready to meet any emergency which the Vulgar enemies of Texas may cast upon us.— I hope Heaven will preserve and protect you.

Concerning Mexican Bondholders

I am your friend and humble Servt
R. G. Dunlap Jr

New Orleans July 24th 1839.

Hon James Webb

My dear Sir

Mr Bee to the Secy of State

The sight of Mr Packenhams hand writing quite excited me just now, I was in hopes it was in reply to my Communication written the night preceeding my departure from Vera Cruiz and that it would be full of intelligence.— it proved however, to be of old date June 2, and reached here to day, Via Havanna.— it states, that in compliance with my request "he had taken an interest in Padre Muldoon" and had every reason to believe he would be speedily released from Confinement in a few days.— Mr Packenham.— tho he does not so write to me.— thinks we must despair of reconciliation from Mr Bees first rejection. that we have only to play our cards well to succeed, that strong prejudices are to be overcome and that a little patience on our part will effect much.— thinks hostilities ought to cease— in other words an armistice.— this is pretty much the tenor of his letter, and I give it to you exclusively for the President and his Cabinet I have before explained to you why I did not propose an armistice!— in the first place, I did not wish to open my views to Genl Victoria.— and in the second I found they were too much elated at having got rid of the French Fleet— and at putting down the Federalists!— and I therefore thought they might attribute the proposition to fear of the great nation.— and still rejoice that I did not do it.— I am as sanguine as ever, that peace will be the result.— and if the first arrangement had been allowed— Viz, my opening the negotiation through the United States Govt at Washington and giving them as the guarantee for all we proposed.— infinite anxiety (God knows on our part) would have been saved, but perhaps the question will be sooner settled, by the course that has been taken.— The whole nation know that we have tendered Peace— and it will, its influence.— we have many friends among them, and there is a strong party that would rise in our favor should war unfortunately take place.— There are Mexicans here with Silver who have traversed Texas, and come down the Red River— They passed near Austin.—

Intelligence from Mexico respecting Padre Muldoon released from Confinement in a few days

for reconciliation

& concerning an Armistice and other relative matters

they say they were not interrupted by Texians or Indians. I have sent to ascertain what their feelings are towards us.— and whether they would be likely to join our standard &c— Say to Genl Lamar, I hope he is quite recovered.— He ought to mount his horse and go to the Mountains or reside on the front beach at Galveston.— The city is very little better than Houston.— and will have Yellow Fever, unless they have a good police.— You can generate yellow Fever very readily.

I am very Sincerely yours
Barnard E. Bee

July 26th 1839.

How Secretary of State

Dear Sir

Mr. Henderson to Secy of State

I forward to you at the same time, with this a despatch containing a full detail of my negotiations with the French Government, and by which you will discover that the King of the French has agreed to recognize the Independence of Texas giving information but proposes to do so by a Treaty of Amity & Commerce, I have proposed that the King shall of his negotiation first recognize by receiving me as the accredited Minister of Texas, because we can then with the French enter upon the negotiation of a Treaty as equals, otherwise I have said to them, it may appear Government that France wished to take advantage of the desire of Texas to be recognized by a leading European power to force from her terms which she would not otherwise grant. I also sent to him that I would not make that a sine qua non now, but that it would be more acceptable to Texas and would also gratify me personally. That proposition is still before the ministry. To save time we have been discussing vaguely the article or terms of a Treaty.— I have assured them that I will not grant them any privileges before that I will not give after recognition.— The government here no longer keep it secret, that they have determined to recognize Texas, It is talked of openly at Court and in political Circles.— Mr Pontois the French Minister to the U S. is the great friend of Texas— He has taken much interest in her cause since his return to Paris which entitles him to her gratitude. Genl Cass the American Minister has acted well in the matter, Marshal Soult does not speak English nor do I speak French well enough to hold an important Conversation.— I have therefore been compelled to have an interpreter Mr Hughs Chargé d affaires of the United States to Sweeden has kindly on several occasions acted in that capacity— and on all occasions shewn properly of Texas and kindly of myself.— I speak of these things in justice to those gentlemen.— Mr Pontois will I presume be the person commissioned to negotiate the Treaty on the part of France.— I hope in my next to inform you, that every thing has been settled here to the satisfaction of Texas.— I have just heard that Genl Hamilton will not arrive in Europe for several weeks.— I also learn that Mr Burnly is now in Liverpool.— I write in great haste and have directed the Texian Consul at New York to send this letter by express mail. The despatch is too heavy to send in that way, and will come by the slow mail.

Truly Yours &c
J Pinckney Henderson

Washington City Aug 2nd 1839.

How David G. Burnet Acting
Secretary of State

Mr. Roberts to Secy of State

Sir

In the absence of Genl Dunlap, I have the honor to forwarding certain Mr. Forsyth thereto on the 19th ult. It may not be improper to remark communication is not so full and explicit in his letter to the Secretary of State subject wholly to him, as he was in his Genl Dunlaps note— He then not only restrain the

incapacitate them from doing us any injury.— He further informed me, that he was at that time about marking out a tract of country, to which they would be speedily removed for the Caddoes, and that in the mean time a most vigilent watch would be kept over them.

I embrace this occasion to tender to you assurances of my high consideration and regard

Saml. A. Roberts

Washington June 29 1839

Mr. Dunlap to Mr. Forsyth concerning Indian Relations and stipulations of Treaty of 1831 between Mexico and the U.S and transmitting evidence &c &c

(Copy)

To Hon John Forsyth

Sir

I have the Honor to call the attention of your Government to those stipulations touching our Indian relations contained in the Treaty of 1831.— entered into between Mexico & the U. States.— In relation to the incursions and depredations of the Indians belonging of right to the Territory and jurisdiction of the United States, I have the honor to refer you to the following enclosed evidence.— The accompanying schedule marked I I contains an abstract of the testimony in relation to the claims of the Mexicans and the disposition of the Indians within the United States, to make war upon the citizens of Texas.— I have the Honor to submit to your consideration and inspection the original Commissions sent by the Mexican authorities to the Chiefs of those tribes who have migrated to Texas from the United States, against the authority of Mexico, previous to the Texian Revolution, and whose numbers have been increased since the success of this Revolution, from three Hundred Tribes within the United States in violation of the positive prohibitions of my Government & of the conventional obligations of this Govt. I have the Honor to enclose a translation of those Commissions desiring the return of the originals whenever you shall be satisfied of their contents.— The translation of the Pass Ports circulars and instructions to those lawless tribes from the Mexican General proves what was somewhat developed to this Govt. by one of its own officers General Arbuckle last year.— that the Mexicans have long contemplated a general assault upon Texas from the western Indians of the United States— The extracts from the enclosed letters from Col. A Butler the former minister from this Government to Mexico— from Mr Rains— Mr. Douglass & Col. Coffee to Gen. Felix Houston. leaves this question without doubt and places it beyond Controversy.— The history of the Colonization and settlement of Texas, clearly demonstrates, that the chief inducement which impelled Mexico to the adoption of such a policy was to plant on or near the Western borders of this Government, a race of men whose known skill and energy would give interior Mexico ample protection from the warlike & migratory character of those Indians.— This infant Colony began with its existence to meet with trouble and annoyances from those Indians.— Hence it was that the conventional and reciprocal obligations were entered into between Mexico & the United States to restrain the Indians belonging to each nation from incursions and depredations upon the Sovereign and citizens of each Government.— I have the Honor to direct most respectfully your attention to the long established policy of this Government, which has thrown large clusters of Indian Tribes on her Western borders.— I do this that you may at once see the danger which hangs over my country.— the general character of the Savage, aside from that restless spirit with which some of them have been induced to settle there, when added to the evidence already alluded to will manifest to your government the necessity of placing herself in that attitude to the question which will enable her to comply with her obligations to a Sister Republic.— I am directed by my Government with anxious solicitude to invite the attention of the United States to the consideration of this subject.— The proverbial good faith and promptitude with which this government has always conducted herself in all her foreign as the general magnanimity of the American char-

an pledges upon which my government rests in the most confiding confidence that right and justice will never be withheld from her by the United States.

It affords me pleasure on this occasion to offer to the Secretary of State renewed assurances of my highest consideration & respect

(Signed) R. G. Dunlap

(Copy)

War Department July 18th 39

Mr. Poinsett to Mr. Forsyth

Now John Forsyth

Sir

I have the honor to acknowledge the receipt of your letter of the 17th inst. acknowledging the receipt of Plenipotentiary of Texas respecting apprehended incursions of the Indians residing Documents within the Territory of the United States, upon that of Texas.— Having carefully exam- Concerning ined the documents accompanying that communications, I do not find any evidence Indian Rela- of a disposition on the part of the Indians within the United States to make war upon tions. the citizens of Texas.— The letters of the Mexican authorities allude clearly to the Indians residing within the Texian Territory, and the Circular is addressed to Chiefs who live with their people without the limits of the United States.— upon a former occasion, at the instance of Genl Houston, and of the Agents of the Texian Government strict orders were issued by this Department to the officers and Agents of the United States upon the western frontier to prevent the Indians from taking any part in the contest between Mexico & Texas and to adopt active and coercive measures if necessary to compel their neutrality.— Although I am fully convinced these orders have been obeyed, and that the United States officers will use due vigilance in their execution still they shall be reiterated, and the Texian Government may rely upon every exertion being made on our part to fulfil our treaty stipulations in this particular.— The documents are herewith returned.

I have the honor to be, Sir
Very respect your obt Servant
(Signed) J. R. Poinsett

(Copy)

Department of State
Washington 19th July 1839

Hon R. G. Dunlap

Sir

I have the honor to transmit a copy of the answer of the Secretary of war to the letter from this Department which was accompanied by a trans-cript of your note of the 29th ult on the subject of Indian incursions and depredations, and to offer you at the same time renewed assurances of my great consideration

Signed John Forsyth

Legation of Texas
Despatch No. 7.3

Paris August 5th 183

To the Honorable
Secretary of State

Sir

I have the honor herein to de
letter which I have just received
Stated at this C

to obtain recognition by his Government and to form a Commercial Treaty with it. I requested Genl Cass to mention the subject to him, if he should have an opportunity without intimating to His Majesty that I had requested him to do so, inasmuch as I had no authority from my Government to apply to him for that purpose.— The result of that enquiry by Genl Cass you will learn best by the following letter

Legation
des Etats unis } Confidential

Paris August 3rd 1839

Dear Sir

Lewis Cass to Gen. Henderson authorizing the Negotiation of a Treaty to be entered into between Belgium & Texas

In addition to what I mentioned to you verbally, that instructions were now making out in the Department of Foreign affaires, authorizing Mr Pontois to enter into negotiation with you, for the formation of a Treaty, and the recognition of your Independence, there is another circumstance which I think it is best to state to you in this letter.— I had on Sunday evening last a long conversation with the King of the Belgians respecting Texas, in which he evinced much knowledge of the Country and seemed sensible of its importance.— I am well satisfied from the tenor of his remarks that he has been looking with interest to your condition, and is aware that a commercial intercourse between Texas and Belgium may be highly useful.— Mr Pontois to whom I mentioned this circumstance, told me, there was no doubt, but that the Recognition by France would be immediately followed by that of Belgium.— Under these circumstances it appears to me, that if you have not already received from your Government, the Full powers necessary to enable you to enter into negotiation with the Various European States, you had better apply for them without delay.— The angular declaration of Lord Palmerston in the House of Commons respecting the difficulties in the way of your recognition by England, makes it doubtful — whether the English Government have the real intention to act favorably upon the subject within a reasonable period.— There is something in his allusions to the Slave trade carried on by Texas which I cannot understand, especially as it is well known you have no concern with any such trade, and as the true objection is to that feature of your internal administration which admits Slavery, and with which other nations have not the right and ought not to assume the prerogative of interfering.— In this state of things it is your interest to procure the recognition of the other European States as fast as possible, in order that England may yield to the public opinion of Europe what perhaps she would not yield without considerable delay to your application only.— This letter is confidential, but if you think it necessary, you are at liberty to send a copy to the Secretary of State of Texas, enjoining upon him to communicate its contents to the President only.

Recognition by France would follow—

Concerning Recognition by England and difficulties existing—

I am dear Sir, with great regard,
Respectfully your obt. Servant
(Signed) Lew. Cass

General Henderson
Minister of Texas

Gen Henderson to Secy of State relative to information Gen. Cass

In addition to that which is contained in the above communication, Genl Cass Verbally informed me, that King Leopold asked him if I had powers to apply to him for recognition &c doubtless intending thereby to intimate that he would recognize and treat with Texas if I would apply to him with proper powers.— with all due deference, I would suggest the propriety of appointing a special Envoy to treat with the different Powers of Europe, which have not been yet applied to for the recognition of Texas, and for Commercial priviledges.— Whether it would be most proper to appoint one or more Ministers especially for that purpose, or to extend the Powers of the minister of Texas, in Paris or London to that effect, His Excellency the President can best judge.— Perhaps a Minister here or in London could not attend well to so much business.— Moreover, I do not require such an application to be made directly at

own Court, therefore I have given it as my opinion that it would be best to establish a separate mis-
Inducements sion of it.— Texas must seek a market for her Sugar foreign from the United States, France or Eng-
land, all of which have either their own domestic, or the sugar of their Colonies to protect— The other
Powers of Europe (Spain Excepted) raise but little Sugar, either at home, or in their Colonies; and Texas
may secure the priviledge of a fair Competition in their markets— Belgium Consumes thirty millions
pounds Sugar, five of which only is beet root, a large part of the other 25 millions Texas may sup-
-ply, provided she can produce as cheap as any other Country.— Russia, Prussia, Austria, Holland
and the German States will each be of importance to Texas as markets for her Sugar.— I therefore
hope that His Excellency the President will receive my suggestions in relation to this business kindly.—
Interview I had an interview yesterday with Mr Pontois upon the subject of the pending Treaty and recognition.—
with Mr He informed me that his Government still insisted on recognizing by Treaty, as all of their precedents
Pontois are that way, and I acquiesced — He discussed more minutely the different matters which we desired
final to touch upon in the Treaty.— I find that I shall be compelled to agree to some reduction of the duties
Conclusion now imposed in Texas, upon French Wines and Silks, but France will make in return a reduction of
to agree to their duty on Texas Cotton.— Mr Pontois was not able to say precisely what that reductions would be,
some of her and therefore I made no proposition in regard to the reduction. I would be willing on the part of
propositions Texas to make on French wines and Silks.— He informed me that he had asked the ministers of
Reduction of Finance and Commerce to consent to a certain reduction of duty, and that he expected the answer
Duties— on that day, together with complete and definite instructions from the Minister of Foreign affaires,
after which I hope we shall soon complete the Treaty.— When we Separated, Mr Pontois expressed
himself well pleased with all that had passed between us.— I sent forward to you Some days Since
a long despatch, No 6. by the Liverpool Steam Ship Via England which I hope will reach you in
due time.

I have the Honor to remain
your obedient and
very humble Servant
J Pinckney Henderson

Saratoga August 12th 1839.

Hon David G Burnet Acting
Secretary of State

Mr. Dunlap
to
Mr Poinsett
Concerning
Orders of Sundry
Concerning
incursions of
Indians

Sir

I have the Honor to inform you, that since Mr Poinsetts or-
-ders have issued to the officers on the western frontier, a copy of which has been forwarded
to your Department.— that I saw Mr Forsyth here a few days since and stated to him, that
these orders should go forth, and restrain all the Indians within the United States from
incursions into the Republic.— He replied that Mr Poinsett would be here in a few days
and that I might see him, and rest assured that this should be done.— I came here
to see Mr Forsyth and shall only delay here until Mr Poinsetts arrival.— Gen. Hamilton
left on the 1st inst for England and has no doubt of success.— Mr Henderson writes me
that the King of France will act upon the recognition as soon as Mr Saligny's report reac-
-hes Paris if it be favorable.— Mr Saligny is in Paris by this time and his report
will be very favorable.— England will then follow, as she considers her Canadian dif-
-ficulties Settled.— Genl Henderson wishes new Credentials, as his old ones are informal, and
he cannot be presented to the King as they now are after the recognition at neither
France nor England.— He also wishes to return home after this event as his health is b
Mr Pontois the French minister to this Court, said to General Henderson on his return to Paris
Mr Biddle told him, that as soon as France recognized Texas, that he would let us have
much money as we wanted. I believe that the loan will be obtained.— I hope
will pardon this suggestion in forming commercial treaties, I would not make
arrangement for the importation of Goods into the Republic.— I think the rig
should be left exclusively to the action of our own Govt untrammeled

Mr Bee to Secy of State
intimating out objections to instructions to Mr Treat, as sent to Mexico

New Orleans 12th August 183[illegible]

My dear Sir

The only objection I find in your instructions to Mr Treat is in treating it as a second attempt at negotiation. This is not the light to view it in. It must be considered as part and parcel of the same. I would not make them a second offer, you will recollect the Secret Agent was on his way to New Orleans, when I met him at Vera Cruz. His object was to have prevented my applying directly to the Government least it should be rejected. I declined all communication them as I had already addressed the Secy of State. Moreover I look upon the negotiation as now going on. Mr Packenham writes me to have only a little patience. I have very little doubt. Letters are now at Washington on the subject. I shall proceed there the moment I hear from Mr Poinsett. It will never do to let it wear the appearance of a second appeal. The Senate might give us trouble. I shall take the liberty of altering your instructions in so much. I shall proceed immediately to Pendleton, pray let me hear from you. Remember me to the President and say to him, if he and his Secy of the Treasury do not create a demand for their money, it will be down to 15 cents. I propose that fifty thousand Dollars of the Post notes should be put in the hands of Mr Jacob Barker, upon his depositing Treble the amt in Texas money in the merchants Bank. as one means of keeping up the currency another mode is to make an arrangement with the Steam Boat Columbia to take your Money at 50 or 70 cents for passage and freight, and your redeeming it every fortnight in good money * which would soon make it sustain itself, without some effort on the part of the Government. It cannot be upheld. Another mode is to put the Zavallas in the trade as a mail packet taking passengers & freight at par, you would of course lose money at first, but it will be more than compensated to you in the enhanced value of the Currency thus benefitting the whole country. I am no financier, but it is important something should be done. I have consulted the owners of the Steam Boat they are willing to make the arrangement, they would submit their Books every trip to the inspection of the Consul, I have also Conversed with Mr Barker, who is willing to pledge three for one, and thus give your money a chance in the market pray converse with Dr Starr on the subject. If we could disperse the Mexicans as easily as you have the Cherokees I would be for fighting instead of negotiating.

I enclose you the suggestions of Mr Barker. I hope at I am no financier you must all judge for yourselves. an effort is however indespensable. It would be weakness however not to make one.

I am my dear Sir, with great regard & esteem
Yours. Barnard. E. Bee

* by withdrawing a vitality — So to say? Issue Money and consuming our promissory Bills, & finishing &c &c —

Mr Dunlap to the President containing extracts of Mr Forsyth dispatches

Extracts from Genl Dunlaps last despatches

From Mr. Dunlap 22nd June, Philadelphia

To President Lamar

Wishes evidence of the incursions of Indians from the United States. Mr Forsyth says, the United States are not bound to recall Indians who entered Texas peaceably, previous to the revolution, which point had been somewhat settled by Mr. Poinsett in Mexico. Mr Dunlap differs from him on the grounds of the treaty of '31.

Mr Forsyth in a conversation with Mr. Dunlap, strictly confidential, said "that Mr Ellis was directed to say to Mexico, that the United States had undergone no change of opinion, relative to Texian difficulties, and to refer to a conversation between Genl Jackson and Santa Anna, pledging his honor as a man and an officer to keep his engagements with Texas," thus shewing a strong American feeling on the part of the United States Government.

If Steamers are wanted, authorize M. Williams to ship

take 30 to 100 men from New orleans without exciting observation.

Recommending Mr Grahams re-
Mr Allen as Consul at Philadelphia.

From Mr Dunlap, June 26th

To Mr Forsyth (forwarded)

Stating that Col Bee's mission had failed, although he had been treated courteously. and requesting the earliest possible information with regard to the result of the mediation of United States with Mexico Through Mr Ellis.

From Mr Dunlap to Dr G. Burnet

New York, June 28th 1839

Acknowledging receipt of communication about Indiana, which he was about to refer, with hopes of success, to the United States Government. Had informed United States Government of the appointment of Commissioner

To blockade Mexico now would be unkind to United States and England. In case the negotiations for peace with Mexico is transferred to Washington, he wishes instructions as to amount Texas would pay.

Recommends extending limits of Texas to the Pacific. He is about to digest the Sinking fund Bonds.

Has seen Mr Treats letter — with Secret. Agent fears delusion, and no fault in ruling powers in Mexico.

Thinks France will act without delay, on the arrival of Mr Saligny, who is about to embark.

Speaks of Mexico's sending a Secret. Agent to England, and speaks of public opinion being in the United States very favorable to Texas.

Paris August 20th 1839.

Excellent
Sir

Mr Henderson to Secy of State acknowledging receipt of letters

His progress with the French Govt

relative to my powers to grant Texas &c

I received your communication as acting Secretary of State dated Houston 16th June last, a few days since. It is the first despatch I have received from the Government, for more than six months. I have noted its contents. — My negotiation here has until lately been progressing slowly but satisfactorily but there has been evinced within the last few days a disposition on the part of the French negotiators to delay the business — perhaps it is with a view of finding out whether or not General Hamilton who arrived in England a few days since has any additional instructions from me from the Government which will enable me to give them any more favorable terms. I am induced to believe that such is the case from the fact that, that disposition has been evinced only since the arrival of Mr Saligny who observed a few days since in the presence of Mr Pontois and myself when we were discussing the different unsettled points of the Treaty, that he knew that would grant the favors which the French Government asked, because the President of Texas had told him that he was anxious to enter into a Treaty with France and was willing to grant such and such favors and that he (Mr Saligny) doubted not that General Hamilton had such authority or instructions from me as would enable me to comply with their wishes and that he had written to him that morning that it was absolutely necessary for him to come to Paris without delay. I was not pleased at that speech of Mr Saligny but reflecting that I was not as for myself in this business and that a diplomatist ought never to evince the least anger in the discussion of a Treaty. I contented myself by observing that he had no such instructions for me or he would have informed me since, as he knew that I would be engaged ere this in discussion. I moreover informed him that your despatches did not
was the case. to which I [illegible]
for

alone will satisfy them that I have been candid with them

Mr Pontois insists upon reduction on French Brandies & clothing. My objections urged.

At our last interview Mr Pontois insisted upon a reduction upon from Brandies, and what is called here "Paris articles" such as ready made clothing shoes &c. To the reduction I gave to the latter articles I most positively objected on the ground that it would injure the revenue of Texas, and would do France as good as I would be compelled to make the same reduction on English goods of that kind if she treated with me and more over that the reduction which I had agreed to make on French silks & wines was a sufficient quid for the quo which France granted by the reduced duty on Cotton as regards Brandies I had always refused to consent to any reduction of the present duty not less on the score of morality than revenue, but Mr P. said that he had consulted several strong interests since he last saw me and that he was convinced that any treaty which the Government might make that did not do something for the French Brandies would be unpopular with the Chambers, because that interest is strongly represented there, and after duly considering the matter and believing Mr P. sincere in his expressions of that fear, I consented that the duty on French Brandies should be reduced one fifth which satisfyed him on that point. But he did not seem to desire to close the negotiation definitely, or any point and seeing that, I determined not to urge the closing again until Gen. Hamilton arrived so that they may be sure I have received whatever he had for me, and should they find me forward in my present position after Gen. H arrived. I cannot doubt, judging from from appearances before the arrival of Mr Saligny, that they will accept of my proposals, and that all will be completed in a few days. I will then write you again and more fully

I have the honor to remain
my dear Sir your very truly
J. Pinckney Henderson

D. G. Burnet.

New York Aug 26th 1839

Mr. Dunlap to Sec'y of State concerning the question of recognition with the French Government. Received a letter this evening from Gen Henderson of the 28th Ult. stating that the King of France had agreed to acknowledge the Independence of Texas by a Treaty of Commerce &c. He insisted that Texas should first be received as a Minister, & then on equals to enter upon the Treaty. This was right. He however says that he will agree to the recognition by Treaty if the King makes it a sine qua non. The recognition is certain to pass by a Vote of at Court. This event will secure the Loan although the money affairs of England are in a Crippled State. England will soon follow but she will exact the same terms which may be granted to France.

Recognition of Texas by France

Purchase of Guns

Capt Todd informs me that one of the Brigs will sail for Galveston on the 8th of September with the 100 guns which I purchased of Mr Colt and which arrived too late to have been sent by the last Schooner.

Information of Todd.

Indian Relations

I saw Mr Poinsett a few days since for the first time. All our Indian relations have been referred to him. I stated to him that his order and letter to me, which have been forwarded to your Department, did not cover the whole ground of my application to this Government. After a full Conversation he assured me, that no number of Indians, under any pretext should make incursion into Texas, that he had given orders to this effect, and that he would repeat them to the officers on the frontiers to restrain them from crossing the line, and further to inform all those Indians that if they did not desist from their incursions that he would stop their annuity, and place a competent force near the borders to keep them in check

Mr Poinsett has agreed to recall the Caddo's, so soon as he can obtain a place for them

of 1831 He said we would talk this over in the face at Washington, & suggested many difficulties & but concluded by saying that I might assure the President that the Treaty touching the Indians should be executed in good faith. I repeat more but the kindest feelings exist with this Government for the welfare of Texas.

Informations concerning the Brigs. and relative matters concerning Navy affairs

The other Brig and the Ship will not be ready before the first of November as things now appear. Capt. Todd is one of the most business & trust worthy gentlemen, to whom the national honor, & public money can be confided. He expects the second command in the Navy, & I am sure in such an event, that the Chief labor & detail, essential to the establishment of a Naval Character will devolve on him. In saying this which is nothing less than truth & justice, I do not intend to disparage Capt Moore's well earned & well established claims to the rank which has been given him by the President. Moore is a Sailor, a man of Science and of undaunted gallantry. He was one of the finest officers of his grade in the United States Navy. Still he is not the man for labor and detail, so important to the successful completion of all useful systems. Mr Todd combines this quality in an eminent degree, with a useful and practical knowledge of his profession. He and Capt Moore can organize the Navy, & give it usefulness, and build its character upon a proper basis. It is from my knowledge of the character of men which best suits the President's taste, that I am induced to give this voluntary testimony of the worth and claims of these two gentlemen, and I trust that my motives may not be misunderstood, let my opinion go as it may. — I have conversed with Col Joseph M White this morning relative to the mission to France. — He is willing to accept, but thinks he should visit the Country first and take the oath of allegiance &c His competency is beyond controversy. — I have the utmost confidence in the purity of purpose which actuates Gen. Hendersons, as well as his ability for his present station, But I shall regret deeply the necessity to which he may yield to place the recognition upon any commercial advantage to France, should he however be driven to this alternative, the building on the national character, on a faith that should never be violated, will no doubt justify the Government in sustaining the Treaty. —

Conversation with Mr. White concerning Mission to France

general observations upon the Recognition by France.

I have just announced in one of the City papers that France had agreed to recognize Texas — and that the official notice of the fact may be looked for with certainty in a short time. This will have a tendency to advance our money and strengthen public confidence in the United States relative to the prospects & fixed destiny of the new Republic. — The public journals in the U States have during this whole season & are still, sustaining Texas & her present administration with an ardor & intelligence worthy of the age, as well as of its enlightened advocates of public liberty — all that Texas wants is union & harmony at home with this time and circumstances will keep her onward march, to the fulfillment of all her happy promises to herself, as well as to mankind. — I am induced to believe that Bustamante's return to Mexico is favorable to Texas. It is however difficult to form any correct opinion upon the changing incidents of such a people as the Mexicans are.

Negotiations transferred to Washington

Should the negotiation for Peace be agreed on by that Government & it be transferred to Washington, I shall be happy to learn from the Govt whether I may extend the limits to the Pacific, & if so upon what terms. The only objection (and it is one of potent influence) against extension is the Indian wars & the consequent insecurity to persons and property. The only answer to this is to have a competent, well armed & well appointed force in the field. In time of war be prepared for battle. This is sure measure and is all that Texas wants to constitute her truly the happy

Yours

How D. G. Burnet

492

Washington Sept 5th 1839

Mr Roberts C
Secy of State
asking for means
to defray contingent
& other expenses of the
Legation

Sir

I take the liberty of addressing a few lines to you on a subject, pertaining to the Legation at this Government. Congress has not provided the Secretary of Legation with means to defray the rent of a room, for safely keeping the archives of the Legation & the quantity of papers & books renders the renting of a room absolutely necessary. The duty of keeping them devolves particularly upon the Secretary of Legation after several strict examinations of the Statutes I can find no law fixing the Salary of the Secy of Legation to the U.S. Also the Salary of the Secy of Legation to Great Britain was fixed at $3000. I can see no good reason why the Salaries of the Secy's of Legation should not be the same. Should you think these matters worthy of notice, I would thank you to present them in your report to the next Congress, making such suggestions as you see fit. With sentiments of high regard. I am &c.

Your obedient Servant
Jam.s C. Roberts
Secy of Legation to U.S.

Hon. Dan.l Burnet
Actg Secy of State

Legation of Texas
at Paris
Despatch No.

London Oct.r 1st 1839

To the Honorable
The Secretary of State
Sir

Mr Henderson to Secy of State announcing the arrival of Mr Saligny, applies for favorable to Texas—

Change of views of Fr. Govt. as to duties suggested about the Tariff.

Mer. objections urged—

By my last despatch, I gave you all that had passed up to that date between Marshal Soult, Mr Pontois and myself on the subject of the negotiations then pending between us. Soon after my last despatch was forwarded to you, Mr Saligny the Agent who had been sent by France to Texas, arrived in Paris. He had sent forward his report, which Marshal Soult-Had previously informed me was quite favorable to Texas. Shortly thereafter immediately upon the arrival of Mr Saligny, that the French Government changed its views in regard to the terms of the Treaty. For the outset, Mr Pontois had said to me, that France would be willing to reduce the duty on Texian Cotton one fourth, provided Texas would make an equivalent reduction in her Tariff. Founded upon that consideration, I proposed to reduce the duty on French Wines, two fifths, and one half on French Silks. I had refused on the outset to consent to reduce the duty on Brandies, but at a second interview with Mr Pontois, he insisted so strongly that I should consent to some reduction however small, in order to secure the support of certain members of the Chamber of Deputies to the Stefs, Government was about to take in recognizing Texas, that I consented to a reduction on that article of one fifth. At the termination of our interview when the conversation as above related took place, Mr Pontois expressed himself well pleased at what had passed between us. We met in a few days after that date, and after Mr Saligny's arrival. He was present and when Mr Pontois made new demands upon me, which was to reduce the duty on French goods not included in our first agreement, and I objected, Mr Saligny said that he was sure, that I had the power to consent to do so, because most of the officers of the Government of Texas had assured him during his stay in that country, that Texas would be willing to make all such reductions, provided France would recognize. To which I replied, that I had no such instructions, and that I must act according to my written authority, and not in compliance with any information which might be conveyed to me through another channel. I firmly rejected Mr Pontois's proposition in that respect, and we parted. Some little interruption took a part this time in the negotiation, caused by some information which I received

which I

Mr. Hamilton arrives — explanations

Johnson Secretary of war, and secondly, to the President, in the meantime General Hamilton arrived and explained all.— Upon his arrival, Mr Pontois harped much upon the importance of recognition by France, in order to aid Genl Hamilton in his negotiation of the Texian Bonds. I also considered it important in that point of view, and was much strengthened in that opinion by my first interview with Genl Hamilton; but I did not feel willing to pay for recognition, even in order to accomplish the important business of a loan.— I soon discovered however that the French negotiator was determined to take advantage of that, as well as all other circumstances in order to force me to grant the most advantageous terms to France. On the occasion of our next interview, Mr Pontois informed me, that he had been mistaken in the quality of our cotton, and that the ministers of Finance and Commerce would not consent to any reduction.— How he could have been mistaken in the quality of our cotton, or how such a mistake could have influenced the French Government on that point, I am at a loss to know, because I told Mr Pontois at our first interview, that the Texian Cotton was better than any raised in the United States except the Sea Island.— Moreover the duty upon Sea Island and upland Cotton is the same in France.— Therefore I am convinced, that it was only an excuse to avoid making the promised reduction because Mr Saligny assured them, that from what he saw and heard in Texas, I was authorized, and would do all that I had proposed to do without such concession on the part of France.— When Mr Pontois informed me that his Government would not consent to make the promised reduction about the our Cotton, I told him that in as much as all of my propositions had been founded upon his proposed reduction upon that staple article of Texas, we must commence de novo.— He insisted most strongly on holding me to my first proposition, but I determined not to consent to it.— He then assured me that unless I did consent to the reductions I had proposed, he would yield up his powers to Marshal Soult, as he was sure no other terms would be accepted by the ministry — nevertheless, I still determined not to yield.— I then separated from Mr Pontois, and had a Conversation with Genl Hamilton, on the situation of Texas and the importance of recognition by France so far as the negotiation of the Bonds he had in charge was concerned.— Genl Hamilton seemed to think that every thing depended upon the success of my negotiation with France, and addressed me most strongly to make the reductions, I had first proposed, notwithstanding the French Government refused to carry out the proposition made by their representative.— I was induced mainly by the above consideration to consent to make the reduction which the French Government insisted on, rather than delay the matter until I could write home for the advice of the President.— You will see that the article of the Treaty which provides for the reduction of the duties on wines and Brandies, stipulates, that if Texas shall hereafter reduce the duty on similar articles of other Countries, then there shall be made a corresponding reduction on the French wines & Brandies freely, if the reduction is freely made, and by France paying the same compensation, if the reduction is conditional. I consented to that provision upon mature reflection for two reasons.— In the first place, England and all other European States whose recognition is at this time much desired by Texas, have no such articles to export, and consequently such a stipulation cannot embarrass Texas in her negotiations with them.— In the second place, I saw that nothing would be more easy than to destroy the whole advantage, which France hopes to receive by that provision, in case Texas shall hereafter find it necessary to treat with any Country which does produce wines & Brandies.— Suppose for instance that Texas wishes to make a treaty with Spain, and that Spain required her to make a reduction of duties on her wines & Brandies.— It would only be necessary to set forth in the Treaty, that in consideration of Spain permitting the Cotton of Texas, (an article of which she does not import a pound) to be sold in her ports without duty, or at a very small duty, Texas Consents to reduce the duty on Spanish wines & Brandies.— or suppose in Treating with Austria, that a reduction is made on her wines, in consideration of a reduction of duties by her on Texian sugar.— Either of these conditions would [illegible] France desired to do

Duties on Cotton

Discussion of the relative matters in general about the Cotton

Recognition

System to reduce the duty on foreign sugar, and her revenue system on the other hand, would prevent her reducing the duty on Texian Cotton. She refused to extend the same provision to French silks, (as you will see by the Treaty) because that would have embarrassed Texas in her negotiations with England, as she also manufactures silks. With these views I consented to that article which at first seemed too important an advantage to be given for recognition alone. The object of adopting the "additional articles" is to enable Texas to conceal from the nation that she has consented to require any other qualification for her Vessels than that of being owned by a Texian Citizen, so that they may not be induced to require a similar qualification. I had hoped in the beginning that France would require no such qualification, and that considerable difficulty in making as good terms for the vessels of Texas as those contained in the additional articles.

concerning National Vessels

The French Government insisted most strongly, that no Vessel of either nation should be considered as a national Vessel, and entitled to carry on a direct trade between the two Countries, Unless She She should have been built in the Country to which She belonged and three fourths of her crew were citizens of the same. With such regulations, I knew Texas could not for many years carry on any part of the direct trade and therefore, informed Mr Pinton, that if France insisted on that condition, the Treaty must be broken off, or at least delayed until I could take the opinion of my Government on the subject, and that would certainly advise her not to make such a stipulation. When he discovered that I was firm in that determination, he Consented to the modification as contained in the additional articles. Under that agreement I am disposed to think that Texas will do most, if not the whole of the carrying trade. First because the Vessels of France engaged in Foreign trade are too large, and draw too much water to enter our Ports, and secondly, they are wanting in enterprize, and never have been able to compete with the Americans in the Carrying trade. I insisted on having the Treaty written & signed in the alternate, as matter which I considered of importance only in treating with European nations, where such matters of form are considered as matter of substance. Moreover this being the first Treaty made by Texas, it will serve as a precedent in all future negotiations. I also insisted on inserting in the clause which refers to the exchange of ratification, that it might be done in Austin. Marshal Soult also promised me, that he would send a person to Texas without any unnecessary delay to attend to the exchange of ratification and to reside near the Government.

An intimation from Count Leon Belgian Minister

A few days after the conclusion of the Treaty with France, I received an intimation from Count Leon the Belgian minister, that he would be glad to have an interview with me, on the subject of a Treaty between Texas and Belgium, in which of course I readily consented to. Accordingly I called at his residence, and in the outset

regarding an interview on the subject of a Treaty with Texas

told him, that I had no power from my Government to act in the business, and that therefore what passed between us must be considered as unofficial. But the same time informed him, that I had written to my Government and advised them to appoint a Minister to proceed to Belgium for that purpose, which I doubted not they would do. He then informed me, that he had received from his Government full power to treat with me, in Paris, and expressed his desire to have the honor of making the first Treaty with Texas. I replied that my only reason for recommending to my Government to appoint a minister whose duty it should be to proceed to Belgium was, that I thought it would be more acceptable to Belgium, because that would seem to be the most respectable course, but that inasmuch as he had received full authority to act in the business from his Government, I would write to my own, immediately upon my arrival in London, and recommend them to give their representative at Paris, authority to enter into a Treaty with Belgium. After I had had a free and very free Conversation with the Count on the subject of the intercourse between the two Nations, I was so much pleased with his frankness, intelligence, and liberality, that I assured him that I would immediately communicate all that passed between us to my Government, and recommend them to authorize their minister at Paris to enter upon a negotiation with

Texas which

about the Belgium Tariff & matters concerning Treaty

examined to me the Tariff of Belgium, which is the most moderate in Europe. The duty for instance on Foreign Sugar, imported direct in Belgium, or the vessels of the State where it is raised, is only about thirty cents on 100 Kilogrammes (about 200 pounds). It seems to me that the advantage Texas would receive from finding such a market for her sugar alone, ought to be sufficient to make her anxious to enter into a Treaty with Belgium. — Said to the Count that all Texas desired, was to make a Treaty upon reciprocal terms. — He observed in reply, that Belgium only desired to have her commerce with Texas placed upon the terms of the most favored nation, and that She would extend the same favor to Texas. — I replied, that nothing seemed to me, could be more acceptable to the Government and People of Texas; and that one who entertained such views, the representative of Texas would find no difficulty in treating. — I was persuaded that I could have entered into a Treaty with Count Leon, even without any powers from my Government, with the understanding that it was made without authority — to be kept a perfect secret, and subject to the approbation of the President, and of ratification of the Senate; and I would have made the propositions, but I feared the President would have considered it as presumption in me to enter into a Treaty, not only without instructions, but without a Commission. — I will see the Count again when I return to Paris, which it is probable I shall do in the Course of ten days.

I remain Sir Your most obedient
and very humble Servant
J Pinckney Henderson

London Octr 16th 1839.

To the Honorable the
Secretary of State

Mr Henderson to Secy of State Forwarding Treaty with France, with some remarks relative thereto

My dear Sir

I forwarded the Treaty which I recently concluded with France to Liverpool by express a few days since, in order to place it in the hands of Mr Hill a young gentleman who sailed for New Orleans on his way to Texas, but the vessel which he had taken passage in sailed a few hours before the express arrived. I therefore shall it returned. — It is too large, and too important a document to send by mail, I therefore shall keep it in my own possession until I have in New York, where I can find some one who will go immediately to Texas, and deliver it to you in person otherwise (rather than risk it in the mail) I will myself come immediately on with it myself. I hope to find some one to day who will sail on the 19th in the Great Western Steamer expects to go immediately to N. Orleans if so, I will place the Treaty in his hands with directions to the Texian Consul at that Port to forward it immediately by express. — I also expect to sail on the first of next month in the British Queen Steamer

Concerning the recognition by England

Unless this Government informs me, that they have determined to treat with and recognize Texas. — I have seen Lords Palmerston & expect to see him again to day, and so far as I can judge from what passed between us, I am satisfied that England will make early recognition. — In that event the only course left for Texas, it seems to me, is to lay discriminating duties on the goods of all Countries which have been applied to, and have refused to recognize Texas. — The attention of the English Merchants & people generally, has of late been much turned towards Texas, such an act would rouse them against that neglect of their interests. — I have requested to be in Paris on the 21st inst to introduce Mr McIntosh Chargé d'Affaires to the French Govt. I shall return here in 8 or 10 days and then you shall hear from me of any operations at this Court. If you do not hear with the next afterwards that you will have the arrival of the British Queen &c &c.

to Texas. I am in great haste your most obedient and very humble Servant
J. Pinckney Henderson.

Legation of Texas
Despatch No 103

Paris Nov 12th 1839.

To the Honorable
The Secretary of State
&c

By reference to Genl Hendersons last Despatch from this place (Despatch No 9 and dated 25th of October) you will perceive that he left this City on that day for London, having previously left the business of this Legation in my hands, and introduced me to the marshal Duke of Dalmatia, as Charge de' Affaires, Until another Minister Shall have been appointed by our Government.

Before Genl Henderson sailed from England, he received the two following letters from Lord Palmerston, which he sent to me, together with his answer to the same, with a request that I would transmit a copy of them to our Government.=

Palmerston to Henderson
Copy of letter
Concerning the claims of certain British Subjects for outrages comitted on certain British Vessels

Foreign Office Octr 23rd 1839.

Sir

I beg leave to remind you of the Correspondence, which I had the honor to hold with you in the year 1837, on the subject of outrages which had been committed upon the two British Vessels, the Eliza Russell and the Little Penn by Vessels in the service upon the Texian Authorities.= The demands which Her Majesty's Government have upon Texian Authorities, arising out of these transactions are: 1st a demand of £865: 4: 0d for Mr Joseph Russell, on account of Losses Sustained by him in Consequence of the seizure and detention of the Vessel, "Eliza Russell" and 2nd a demand of £2636. 14. 3d for Messrs Lizardi & Co. on account of Losses Sustained by them by the seizure of part of the Cargo of the Little Penn. These Sums are the amount, which in each of the two Cases, Her Majesty's Government after a very careful examination, Consider it their duty to demand from the Texian authorities on behalf of the respective Claimants.= With respect to the first mentioned Claim, I beg to refer you to a letter which I had the honor to receive from you, thereupon, dated 26th October 1837, in which you stated, by direction of the Texian authorities, that Capt Thompson, commanding the Texian Schooner "Invincible" had violated the instructions of his Government by capturing the Eliza "Russell"; and that when the Texian Authorities learned, that the "Eliza Russell" had been wrongfully captured, she was immediately set at liberty; and that orders were given, that the most speedy, and ample Satisfaction should be made to Captain Russell for the Unlawful Capture and detention of his Vessel.= But notwithstanding these assurances on your part, the claim of Mr Russell remains still unsettled.=

Under these Circumstances, Her Majesty's Government would be justified in sending out a Ship of War to Texas, and instructing the Commander thereof, to make a direct demand upon the Texian Authorities for the immediate Settlement of these Claims, and to take all necessary measures for enforcing the payment of the Same.=

But Her Majesty's Government being at all times anxious to avoid the employment of Compulsory Measures, while a hope remains that the Satisfaction of just demands may be obtained by amicable means, have determined to take advantage of your presence in Europe, in order to make one more application on these matters, through you, to the Texian Authorities.

I have accordingly to request, that you will call the most serious attention of the Texian Authorities to the claims in question, and that you will express the earnest hope of Her Ma[illegible]

ment that any immediate adjustment of these claimes, may render unnecessary any other appli-
cation on the part of Great Britain.

Gen. Henderson

I have the honor to be Sir
your mo obt humble Servt
(Signed) Palmerston

The other letter of the same date was as follows

Foreign Office Octr 23rd 1839.

Sir

Palmerston to Henderson concerning the claims of British subjects to certain Lands —

With reference to my other letter of this days date, respecting the claims of Mr Joseph Russell and Messrs Lizardo Hijo upon the authorities of Texas, I beg leave to call your attention to two other matters, upon which I have not before had the honor to address you. — The first relates to the distressing case of certain British subjects, formally settled in the State of Texas, who in consequence of the insurrection of that part of the Mexican Republic, were obliged to abandon their Lands and property, and to take refuge, some in Matamoras, and others in New Orleans, but all as Her Majesty's Government are informed, in a state of the greatest destitution. — My object in bringing the case of these individuals under your notice, is to request your interposition with the Texian authorities, in order that these poor people may have their Lands restored to them. —

The second case to which I beg to call your attention, is that of certain other British subjects, who are interested in some grants of Land in Texas, which were conceded to them by the Mexican Republic. — It has been represented to Her Majesty's Government, that these persons have been prevented by the disturbed state of affairs in Texas, from fulfilling the conditions attached to the grants in question, and that their Lands have, upon this pretence, been confiscated by the present authorities in that State. — But it appears, that if these British subjects have failed to fulfill those conditions, it has been solely in consequence of the disturbed state of affairs in Texas, and not through any default of their own, that they have done so; and under these circumstances, Her Majesty's Government consider that the parties are entitled to their favorable interposition with the Texian Authorities; and Her Majesty's Government hope that the Texian authorities may be induced to restore to these British Subjects, without delay, their rights in Lands lawfully acquired by them during the time that the State of Texas formed a part of the Mexican Federation. — I have to request that you will bring this matter under the notice of the Texian Government.

I have the honor to be Sir
Your most obt humble Servt
Signed Palmerston

Henderson to Palmerston. — Gen.l Henderson

acknowledging the receipt of dispatches. —

The reply of Gen.l Henderson to these two letters were as follows.

London Brunswick Hotel 30th Oct. 1839

The undersigned Agent of the Republic of Texas, has the honor to acknowledge the receipt of the two Separate Communications of the right Honorable Lord Viscount Palmerston, and suggests Her Majesty's Principal Secretary of State for foreign affairs, of the 23rd inst. which only relative to the came to hand on yesterday, upon his return from Paris. — In relation to the first of those claims of certain Communications, the Undersigned has the honor to inform Lord Palmerston, that he received British Subjects from his Government, a few days before he left Paris, instructions to assure Her Majesty's and the Government, that the President has determined that the whole amount claimed assurances by Captain Russell for the detention of his vessel, (as set forth in Lord Palm- of the willing- Communication on that subject to the Undersigned, in the year 1838) shall ness of Texas to him by the Texian Government, notwithstanding they have at a to adjust them Consider the claim as exorbitant, and with that view, this so far as concerns the attention of Lord

Ber-

thereof.= The Undersigned can assure Lords Palmerston, that the only reason why the claims of Captain Russell has not been paid, is, that the President has always regarded it as too large.= Lord Palmerston will also recollect that the Undersigned has more than once heretofore informed him, that in order to settle upon the amount justly due in that case, it would be necessary for Captain Russell to employ some person in Texas, or to proceed thither, (in the absence of any acknowledged Authority of Texas in London to treat with Her Majesty's Government) to settle with such a person or persons as might be named by the Government of Texas, that Congress might be able to appropriate a Specific Sum for the payment of Capt. Russell.= Under these circumstances Lords Palmerston cannot be surprized, that the promised satisfaction has not been made in this case.= The Undersigned cannot however pass over the expression contained in Lord Palmerston's last communication to him on this subject (after stating this case,) that "Under these circumstances, Her Majesty's Government would be justified in sending out a Ship of war to Texas, and in instructing the Commander thereof to make a direct demand upon the Texian Authorities for the immediate settlement of these claims, and to take all necessary measures for enforcing the same," without expressing his surprize and regret that Her Majesty's Government should entertain such ill feelings towards Texas, the more especially, when She recollects the cause of these hostile feelings.= He must also take this occasion to assure Lords Palmerston, that such threats, if the Undersigned is to consider the language used in Lord Palmerston's Communication as referred to above, will not have the most remote effect to intimidate Texas to pay any Claim, the justness of which she cannot perceive, nor will they induce her to abandon, that frank and just course, which has always heretofore Characterized her intercourse with Foreign Nations.= With respect to the claims of Messrs Lizardi & Co, the Undersigned has the honor to refer Lord Palmerston to his communication to him on that Subject heretofore, and to repeat to Lord Palmerston, that the Government is at all times ready to investigate that claim, and will not hesitate, in the event of its proving well founded, to make full compensation to the claimants.

He must at the same time remind Lords Palmerston, that Messrs Lizardi & Co. have not produced such proof as satisfied the Government of Texas that their claim is just.=

The Government of Texas can never Consent to pay such demands thus unsustained by proof of their legality.= Power may enable Great Britain in this case to enforce these claims in the manner Lord Palmerston intimates, but it can never justify her in such an oppressive and unjust course.= The Undersigned will again assure Lord Palmerston, that should Messrs Lizardi & Co, at any time, produce the evidence usual in such cases to support their claims, the Government of Texas will not hesitate a moment to pay them the amount they are entitled to.

Upon the subject of Lord Palmerston's other Communications of the same date, on the subject of the claims of British Subjects to Land in Texas, which they have been compelled to abandon during the war, the Undersigned has to reply, that he is not aware that such is the case.= But should it prove true, upon investigation, he will in that, as in all cases of misfortune use his influence, to cause their property to be restored to them.= The Undersigned can only suppose that the persons alluded to are of that class who abandoned their Country when it was invaded by the Mexican Authorities, by which they, in common with all others who did the same, forfeited their claims under the decree of the Convention which declared the independence of Texas.= By the Laws of Mexico previous to the Texian Revolution, no foreigner could hold Lands in Texas, or any other part of the Mexican States, so that Lord Palmerston will see that those persons he alluded to in the first part of his Communication, are really no longer British Subjects, or never could have held a legal claim in Texas.

As regards the other class mentioned, the Undersigned has the Honor to assure Lord Palmerston that all Claims made to individual Settlers by the Government of Mexico in Texas, previous to the Revolution, are held good by the Government of Texas.= The Undersigned presumes that Lord Palmerston alludes in the Second part of his last letter, to such British Subjects as obtained grants from the Government of Mexico, to settle Colonies in Texas.

These grants the Undersigned Understands were Conditional, and the Government of Mexico reserved the right to arrest at any time the Settlement of the [illegible] or [illegible]ating the grantee, for the part he should have settled.=

That Compensation, Texas either has given, or will give to all those who were prevented from settling by reason of the breaking out of the Revolution.— And the Undersigned can assure Lord Palmerston that the same justice shall be rendered to Natives of Great Britain, that is awarded to the natives of any other nation.— The Undersigned is much pressed for time, being compelled to sail by the British Queen for America, on the 1st. November, and therefore he hopes that Lord Palmerston will excuse the hasty manner in which he has written this Communication.

The Undersigned avails himself of this occasion to renew to Lord Palmerston the assurance of his most distinguished Consideration.=

(Signed) J Pinckney Henderson

But little prospects of England Recognizing Texas at present.

From the tone and tenor of Lord Palmerstons letter you will at once perceive that but little is to be expected from the Government of Great Britain at present.— In fact I think it has long been evident, that as long as the present administration continue in power, we cannot expect recognition from that Government— The ballance of power there is at this time entirely in the Hands of Mr Oconnel, and his party of fanatical Abolitionists and the present ministry are too weak, as well as too timid, to offend them.=

Ere this reaches you however, Genl Henderson will probably be in Texas, and any comments of mine would be therefore Superfluous.= Mr Saligny writes me to say that he goes on the 16th Instant (by the Liverpool Steamer for New York) directly to Texas, where he has been appointed Chargé d'Affaires.— Nothing of importance to our Country has taken place here since the departure of Genl Henderson— Should any thing of interest occur, I shall lose no time in Communicating it to you

I have the honor to be, Sir,
Your most obdt humb. Servt
George S. McIntosh

Referred to

Foreign Office Octr 23rd 1839

Palmerston to Henderson relative to the claims of the Eliza Russell & Little Penn

Sir

I beg leave to remind you of the correspondence which I had the honor to hold with you in the year 1837, on the subject of outrages, which had been committed upon the two British Vessels, the "Eliza Russell" and the "Little Penn" by Vessells in the service of the Texian authorities. The demands which Her Majesty's Government have upon the Texian authorities, arising out of these transactions are:

1st A demands of £865. 4. 0 for Mr Joseph Russell on account of Losses sustained by him in Consequence of the seizure and detention of the Vessels Eliza Russell

And 2nd a demand of £2636. 14. 3 for Messrs Lizardi & Co on account of Loss sustained by them by the seizure of part of the Cargo of the "Little Penn"

These sums are the amount which, in each of these two cases, Her Majesty's Government, after a very careful examination, consider it their duty to demand from the Texian Authorities, on behalf of the respective claimants.= With respect to the first mentioned Claim, I beg to refer you to a letter which I had the honor to receive from you thereupon, dated the 26th October 1837, in which you stated by direction of the Texian Authorities, that Captain Thompson, Commanding the Texian Schooner "Invincible," had Violated the instructions of his Government by Capturing the "Eliza Russell" and that when the Texian Authorities learnt that the "Eliza Russell" had been wrongfully Captured, she was immediately set at liberty, and that orders were given that the most Speedy and ample Satisfaction should be made to Captain [illegible] for the unlawfull Capture and detention of his Vessel.

But notwithstanding assurances on your part, the Claim of the Eliza Russell remains in these circumstances;

a [illegible]

a direct demand upon the Texian authorities for the immediate settlement of these claims, and to take all necessary measures for enforcing the payment of the same

But Her Majesty's Government being at all times anxious to avoid the employment of compulsory measures while a hope remains that the satisfaction of just demands may be attained by amicable means, have determined to take advantage of your presence in Europe, in order to make one more application on these matters, through you, to the Texian Authorities. I have accordingly to request that you will call the most serious attention of the Texian authorities to the claims in question, and that you will express the earnest hope of Her Majesty's Government, that an immediate adjustment of these claims may render unnecessary any other application on the part of Great Britain

I have the honor to be, Sir,
your most obt humble Servant
(Signed) Palmerston

To Genl S. P. Henderson

Foreign office 23rd October 1839.

Sir

Palmerston to Henderson Relative to the claims of certain British subjects formerly settled in Texas

With reference to my other letter of this days date, respecting the claim of Joseph Russell, and Messrs Izzard &c upon the authorities of Texas, I beg leave to call your attention, to two other matters, upon which I have not before had the honor to address you. The first relates to the distressing case of certain British subjects, formerly settled in the State of Texas, who in consequence of the insurrection of that part of the Mexican Republic, were obliged to abandon their Lands & properties, and to take refuge some in Matamoras, others in New Orleans, but all as Her Majesty's Government are informed, in a state of the greatest destitution. My object in bringing the case of these individuals under your notice, is to request your interposition with the Texian authorities in order that these poor people, may have their lands restored to them. The second case to which I beg to call your attention is that of certain other British Subjects, who are interested in some grants of Land in Texas, which were conceded to them by the Mexican Republic. It has been represented to Her Majesty's Government that these persons have been prevented by the disturbed State of affairs in Texas from fulfilling the conditions attached to the grants in question, and that their Lands have upon this pretence, been confiscated by the present authorities of that State. But it appears that if these British Subjects have failed to fulfil those conditions, it has been solely in consequence of the disturbed State of affairs in Texas, and not through any default of their own, that they have done so, and under these circumstances, Her Majesty's Government considers, that the parties are entitled to their favorable interposition with the Texian Authorities and Her Majesty's Government hope, that the Texian Authorities may be induced to restore to these British Subjects, without delay their rights in Lands confiscated acquired by them during the time that the State of Texas formed a part of the general Mexican Federation. I have to request that you will bring the matter under the notice of the Texian Government.—

I have the honor to be, Sir,
Your most obedient
humble Servant
Palmerston

To Genl S. Pinckney Henderson

City of New York
Fourteenth 14th 1839.

To the Honorable
The Secretary of State.

Sir

Henderson Sec'y of State Forwarding Dispatches

I arrived here in the British Queen Steamer Last night and finding Mr Gates about to sail for Texas, I persuaded him to alter his determination, and take the most speedy route by Land, that he may bear my Last despatches to you, which includes the Treaty with France. I send you by the same conveyance two communications which I received a day or two before I left London, from Lord Palmerston together with a copy of my answer to the same, which is not as full or satisfactory as I desired to make, I was very unwell when I received his letters and was compelled to dictate the answers in my bed. I have so often and so strongly therefore urged upon the Govt of Texas the necessity of making an appropriation to pay the demand of Capt Elliott that I fear that nothing I can now say to that effect can have any weight. I send you the papers relating thereto in a formal despatch but am anxious that they should reach you, as soon as possible, I have determined to send them by Mr Gates who leaves tomorrow morning and therefore I have not time to put them in better shape. I shall spend about two weeks here and in North Carolina with my relations, and then come immediately to Texas. I have just seen Mr Dangerfield and he has withdrawn his engagements here, as the Agent of Texas &c &c and of the prospect in anticipation of having the bills he has given as the Agent of Texas protested for non payment at their maturity because the funds he drew upon, are not in Cash, as he had been led to suppose, and represented but in Post notes. I must with due deference recommend to you and the rest of the Government to avert that threatened Calamity Texas as a Land must be better submit to the discount on the post notes at present than suffer her good faith to be forfeited in the cases alluded to. If she pays those promptly she can at any time obtain other necessary supplies on a credit at reasonable prices, with Merchants punctuality is every thing, and Texas cannot expect to establish a Credit as broad as long as she does not comply rigidly with all of her engagements with that class of men. I would not presume to allude to this business but I think that we who are here and hear such matters spoken of can form better opinions of the effect such a thing would have abroad, than you in Texas who hear nothing of them. I write this in great haste as Mr Gates is waiting to receive it.

Concerning claims of Capt Russel

Concerning Post Notes &c &c

Miscellaneous

I have the honor to be, Sir,
Your mo obt & very humble servt
J Pinckney Henderson

Concerning claims of Capt Russel

Concerning Post Notes &c &c

Miscellaneous

City of New York 24th Nov 1839.

To the Honorable
The Secretary of State

Sir

Henderson to Sec'y of State concerning forwarding Dispatches and other dispatches from Lord Palmerston

I arrived here by the British Queen on the 23rd Inst and finding that I could not proceed immediately to Texas, I placed the Treaty which I made with the French Government in the hands of Mr Gates who was to have proceeded by Land but he subsequently changed his intention and took passage in a Packet for N. Orleans which sailed on yesterday or the day before, but I understood he did not get off. I hope however he will arrive before Congress adjourns. I sent with the Letters from Lord Palmerston on the subject of the claims of Texas I proved it seems to me in a very full manner. [illegible] something to settle [illegible] is the [illegible]

delay.— I barely write this to let you know that I forwarded the Treaty by the first opportunity, and also that the Senate may be kept in Session until its arrival— I left the business at the Court of St. Cloud in charge of Mr. M. Intosh who will remain until he is relieved, I will be in Texas early in January if not sooner.

I have the honor to remain
Your obt. Servant
J. Pinckney Henderson

City of Austin
November 28th 1839.

A. La Branche
Secy of State

To the Honorable
The Secretary of State

The Undersigned Chargé des Affaires of the United States in Compliance with the orders of his Government is again under the necessity of representing to His Excellency the President, through the Honorable Secretary of State, that Concerning another Violation of the Territory of the U States has been Committed by a Military violation of the officer of Texas.— From the papers in the possession of the Undersigned it appears Territory of the that on the 3rd of August last, a Captain in the Texian Army, with six or eight United States men under his Commands, arrested and Carried away with him three or four by a Texan officer men, who he alledged, were, deserters.— The impropriety of such proceedings is so manifest that the Undersigned Contents himself with merely laying the matter before this Government, persuaded from the just disposition always evinced by the President that he will cause steps to be taken to ascertain the Correctness of these Statements, and if upon investigation, they are Corroborated, as expected by the Government of the U. States, that the officer shall be made duly sensible of his error.— The inhabitants of Shreveport and its Vicinity are kept in Constant excitement by these Continual incursions made under various pleas and pretences.— They are incessantly renewing their Complaints, and unless suitable measures be adopted to preclude the possibility of these violations of the Territory, the Consequences may be such, as Wisdom might have Cause to regret.— The alienation of the friendly regards between the people upon each side of the boundary, Animosities and bitter feelings, which may finally Cause much trouble and Misfortune.— The Undersigned is Confident, however, in the sentiments that animate the President, and flatters himself that this renewed appeal will have the effect desired, and that by the Execution of prompt and efficacious Orders, the harmony and good Understanding, which it always has been the desire of the Government of the Undersigned to maintain will Continue to Subsist unimpaired.

The Undersigned has the honor of renewing to the Hon. David G. Burnet, Acting Secretary of State, assurances of his distinguished Consideration, and respect

Alcée La Branche

City of Austin 2nd Dec 1839

Hon. David G Burnet
Acting Sec of State

Sir

Your note of the 29th Ult. in reply to my representation of the 28th was handed to me this morning, I have lose no time in laying it before my Government

With Consideration and respect
I remain Sir, your obt. Servt
Alcée La Branche

Philadelphia Decr 18[illegible]

Hon David G. Burnett
Acting Secy of State

Sir

H Henderson to Secy of State giving information of his arrest in New York & praying for relief

It becomes my duty to inform you of the treatment which I met with upon my arrival in the City of New York, at the hands of Messrs Holbrook Vc & Messrs H. L. Kiggans Vc of that City who caused me to be arrested for a debt which they allege I stand security for to them Although they knew that I was the Minister of Texas and on my way home. The first intimation I had of their claims against me, was, from the Sheriffs who came, to my apartments and arrested me with as little ceremony as he would have arrested a common felon. Although I exhibited to him my Commissions as Minister of Texas to France & England and protested against the arrest as an insult to Texas & a violation of her Ambassadorial rights. I refused to give security for my appearance at Court and moved by my Counsel to have the proceedings quashed and myself discharged from arrest. The Court after a full argument unanimously decided that my arrest was illegal and insulting to Texas, and ordered my discharge, I was kept in durance for nearly a week. The plaintiff used every effort to harass and insult me by delaying the final decision of the Court by reporting that I had Clandestinely left the City and gone to Baltimore, Although I was under arrest and on my parrole, by causing the abolition Mayor of the City to abuse and insult me, and because I claimed for Texas the privilege which every Sovereign Nation is entitled to, The Plaintiffs proceeded with their cases as the Sheriff told me when I exhibited to him my Commissions that they had informed him who I was. I was not aware that any man in New York had a claim against me, until the Sheriff arrested me, and I now assure you, that I am not aware that the claim is just, as I have not the slightest recollection of becoming security for any debt to them. If I ever did do it was in New Orleans, and I knew not where the payees lived nor their names, I have not even been favored with a sight of the Notes on which they sue) but these are irrelevant things as the insult and injury to Texas would have been the same, if the debt had have been my own. In that case I would have paid the debt, but first resisted the arrest and after my release insisted that the offenders should be prosecuted by the U.S. Government. I was very much annoyed and delayed by the Conduct of the Plaintiffs. I have communicated the facts to the resident Minister of Texas at Washington and requested him to lay the matter before the Government and insist on its directing Writs of Alias & Attachment to prosecute the plaintiffs in both Cases, as well as the Sheriff for that violation of the rights of Texas, and insult to her honor. They cannot refuse to make this order indeed should the insult be permitted to pass by the dignity of Texas will face below, far below the Common Standard of Nations.

I therefore submit to you, most Excellent Sir, whether or not you will by the direction of the President add to the demand of your representative at Washington the strength of the Executive authority of Texas. If it is not done Texas will be subject in future, and will in reality deserve to have her Ministers abroad harassed and insulted on all occasions. I herewith forward to you a copy of the opinion of the Court which dismissed the proceedings, I hope to be in Texas before the first of January next.

I have the honor to remain
Your Mt. obt. Very Hble
J Pinckney Henderson

City of Austin
Decr. 10th 1839.

Hon. David G. Burnet
Actg. Secy. of State

A Lia Branche to Secy of State Relating to the claim of Messrs Campbell & Dean for Bacon seized by Texan officer

Your note of the 7th Inst, in relation to the claim of Mc Campbell & Dean which I had the honor of submitting to your Government on last, is before me. I regret, as the matter is to be again deferred in order to enable to obtain further information, that your communication should not have been worded, as to prevent the necessity of any discussion at a period so unfortune, as you give me to understand, you are seeking to obtain such testimony as will authorize this Government to pronounce properly and equitably upon the of the demand. I should have considered it more accordant with a fair determination of the subject to postpone comments, which appear intended to prejudge the question, until the evidence could be adduced to show the equitability, and to abstain from observations which have as yet, nothing to sustain them. I would willingly therefore, have avoided any controversy which I regard at this time, as totally uncalled for and unnecessary, and have communicated your response to my Government without a single remark, waiting as you suggest, for further information, had you not taken occasion to avail yourself of an error, into which you have fallen, to make declarations and insinuations, which require at once, that I should meet and repel them.— The mistake to which I refer is the blending of the two distinct demands, the one for the price of the bacon actually seized by the Texian Officer, and the other for the price of that portion, that was rendered unsaleable by said seizure, and which constitutes the demand for damages.= I am gratified to see that this Government acknowledges the claim for the bacon seized, and is willing to pay for the same. More information than you now possess, will exhibit to you whether the price asked by the claimants is so exhorbitant as you alledge. "To render justice" as you are pleased to inform me, "is a common duty."— This is a well known and praiseworthy Maxim, and no one more readily subscribe to it than myself. But this same justice to which an appeal is made, should have induced you to have ascertained whether Messrs Campbell & Dean demand $2 per pound for the bacon pressed, when the very account of those gentlemen, with which I believe, I furnished you, States that they ask $2.500 for the 5000 pounds taken, which is at the rate of fifty cents per pound.— How then can it be said, they exact $2 per pound for the bacon seized! The claim for damages is for the balance of the article which according to their statement, was rendered unsaleable, and of course a total loss to them. Say 2000 lbs at 3½ cents. making $75.72. 3½ cents, And if it appear, upon investigation, that they were actually damaged to that amount by the selection from their assortment, and have sustained the loss they alledge, surely the same equitable principle that induces the Government to pay them for the quantity actually taken, and consumed by the Texian Army will suggest the propriety of indemnifying them for the loss, which forever the forcible destitution of their property, and which, as they declare, resulted to them in a loss to the amount which they claim. By recurring to their account, you will find that 50 cents per pound are asked for the 5000 pounds seized and taken, and 3½ cts per pound for the ballance, which they in consequence, were unable to sell, amounting in all to $10.072: 37½ cents. I cannot account how you could have been led to the erroneous opinion you advance that the $10.072: 37½ which is the aggregate amount is demanded for the 5000 pounds of bacon, unless you were disposed to place the claim in an unfavorable view, by drawing the conclusion you do, that the extraordinary and unheard of price of $2 per pound is asked for by the claim. It would seem that this mode of representing the demand is with a design of reproducing it, and for the purpose of casting an imputation

presented, or upon Messrs. Campbell & Dean. — The Government of the United States is
ace di nister insinuations. Its well established honor and principles, its upright, fair
and candid dealings with foreign Nations, and the estimation and character
it sustains is a guarantee that it never will urge what, upon enquiry, is found to
be unjust, nor will it ever seek to procure "a reward for iniquity by preferring any
Claims of its citizens that would warrant the employment of such a term of des-
=ignation. I flatter myself however, that the expression was not intended in the
most remote manner to refer to the Government I have the honor to represent. It
was possibly meant exclusively for Messrs. Campbell & Dean, but the same justice
whose principles, you have consecrated in a moral axiom, suggests that such chan-
ges, should not be made against those persons, heedlessly, without some more
reasonable cause than appears to exist, or at least until you receive the informa-
tion which you require time to obtain. — I shall forward your note and accompany-
=ing letters to my Government, and await further evidence which may be necessary
to a proper investigation of the subject.

With assurances of perfect esteem and
regard, I have the honor to be, Sir, your obdient Servant

Alcée LaBranche

City of Austin Decr 17th 1839.

Hon David G Burnet

A. La Branche Secy of State

Relative to the Claim of Messrs. Campbell & Dean concerning the Testimony

Sir

I have the honor to acknowledge the receipt of your note of
Yesterday. The remarks you have thought proper to make confirm me in the opinion
I entertained, that a discussion of the matter is, at present, unnecessary and inopportune. =
You again declare that your Government is without the necessary proof to authorize
a decision of the question, yet you gravely pronounce upon the merits of the demand.
A Controversy under such circumstances, can have no beneficial result, for it is impossi
=ble to elucidate the truth and arrive at a Correct understanding of the Case without
being in possession of all the facts that should determine a just and equitable decis-
=ion. — Harsh expressions prove nothing, and only have a tendency to create irritat
discussions which ought always to be avoided. — I must therefore again reiterate the convic
=tion that the testimony should first be obtained, and decline entering, into an argument
based upon the assumption of premises that are merely Conjectural. — With reference to
the position you again attempt to maintain, that the claims for the property taken, and
that for damages are one and identical, I have to repeat that this is an unfair mode
of viewing the subject, that it is untenable and cannot be admitted, you yourself give
Messrs. Campbell & Dean credit for "sufficient address to present their demand in
two distinct forms," which concedes the point, and exhibits that you are well aware of
the distinction when it answers your purpose to make it. — It would be useless to dwell a
longer upon this; for it is too apparent to admit of discussion. — I feel satisfied with
disclaimer you make, that it was not your intention to Cast any imputation upon the
ernment of the United States. — It was with great reluctance the impression forced itself
upon me that your language favored such a construction, but since you disclaim
I feel assured your expression, were not intended to Convey any improper meaning
perfectly sensible that "presentation" and justification" are not convertible as Syn
terms: not more so than assertion and fact. Indeed, nothing I have said upon
struction it would seem however, that although you are aware
have yourself, Confounded these expressions, for you appear anx
merits of the Claim which I have thought it more proper, as
to be without testimony, to pass upon. Until
Cause, therefore, for
no

and epithets as substitutes for proof. When the facts furnish a just determination shall before us, it will be time enough to pronounce upon the equity of the case, until then it is impossible to form a satisfactory conclusion and it is waste of time to discuss a few words.

I regret as deeply as yourself, the necessity for any explanatory discussion, and will do me the justice to admit, that it was not my fault such discussions were not entirely avoided. It is painful for me to be compelled to call for explanations, and refute unfounded charges, for there certainly is nothing in sanctions remarks that bear a prejudicial significations, nor still less charges that truth as well as propriety condemns.

In conclusion, I will observe, that as the letters of which you speak, upon acknowledge they are insufficient by themselves. But as you have introduced them as adverse to the Statements of Messrs Campbell & Mears, whose Veracity you appear to doubt. I have to inform you, I have in my possession a letter from the Honorable Mr Gelle, member of the Congress of the United States from Arkansas testifying them to be reputable and that there is no doubt about the truth of their Statement as set forth.

I have the honor to be with distinguished Consideration, your obedient Servant

Alcée LaBranche

Matagorda Decr 6th 1839

How Alcée LaBranche
Chargé d Affaires

Dear Sir

I would respectfully represent to your Honor, that I am a citizen of New Orleans, Master and principal owner of the Schooner Robert Center of New Orleans while in New York in the month of August last I chartered said Schooner to the firm of Ely & Co. of New York to bring a Cargo to this port, and consigned here to the Order of said Ely & Co. of New York. I sailed from New York on the 31st of August, and arrived on the 28th of Sept. After having been 9 days, One William I. Maynard of this place demanded the goods as Agent for William Scott and Wm E. Solomon, two young men who came passengers in the Schooner, and commenced business here under the firm of Scott & Solomon, said Scott a citizen of New York, and Solomon a Creole of the Island of New Providence. The bills of lading were produced, endorsed and the freight paid, and the goods delivered to said Maynard according to the tenor of the Charter party, And as I was about to depart, the said Wm I. Maynard instituted a suit against the Schooner for $1100.00 damages, and attached her, the Sheriff sent on board a gang of armed Men, and dispatched the sails from her, and took them on shore, and gave them into the possession of the said Wm I Maynard, who put them into one of his vacant buildings; one of them was immediately missing and the others I presume are ruined ere this; They were a splendid new set of sails, a Ships Keeper was put on board by the Sheriff with orders to drive me out of the Vessel, and gave the Crew liberty to go where they pleased, and to make use of the Vessels provisions, which I protested against to no purpose, I have succeeded to remain on board and keep the Crew by boarding the Ships Keeper, but am at his mercy and liable to be driven on shore at any moment. I am frequently insulted and have undergone much anxiety for my personal safety. The Vessel was attached on the 14th October, and I have been laying in this above situation ever since, retained a Lawyer at great expense, and expected to have had the Case adjudicated at the Nov. term of the District Court, but having no Court. I immediately requested the President through my Counsel, and our Consul also, to appoint a Court of admiralty to adjudicate the Case. But have had no answer to the Communications. I therefore presume that the President does not notice it, and that I must be ruined for want of justice. I would further remark, the parties are not responsible men, and that they procured the attachment by giving as Security the names of two individuals, Keepers of a drinking house, of no responsibility in the Sum of $2,200, on which the Commissioner

J Shephard. to A La Branche concerning the Seizure and detention of the Schooner Robt Center under an attachment at the suit of Scott & Solomon & Praying for Relief

required by the Laws of the Republic for the attachment of property in Common cases. was not required of them, and as the opposite party expects to make a fancy case of it, and from what I see of the people here, I fear that if a Court should be appointed, I am not sure of justice. The suit is grounded solely on the fact that on my passage I anchored about 8 hours at Key West, and thirty eight hours at the Western Grand Pass of Vermillion Bay. In the first instance I anchored in the night and was obliged to do so in order to wait for day light to proceed with safety. In the latter case I made a harbour for the safety and good of all concerned, it being on the 22nd September, and from the appearance of the weather, a hurricane was expected. I arrived here in safety, and delivered the goods in perfect order, no Complaint on that score, I brot the cargo for the sum of $1200.00. They pretend that they wrote to some body in New Orleans to effect insurance on the goods and that probably $600.00 premium was paid, and that by anchoring, I vitiated their policy and that by anchoring I lengthened the passage, which was to them a damage of $500.00. But there has been no damage at all. And the object of the suit is to extort money from me by way of Composition. Under the circumstances, I cannot conceive what the Courts of this Republic have to do with the case, and why I should be named for want of a Court. To conclude I pray for your official interference in the business, and that you will immediately write me instructions how to proceed, as I shall soon be obliged to abandon the Vessel at any rate. She is a Copper fastened and Copper bolted Vessel of the value of Eight thousand dollars. The delay complained of happened on the high Seas or out of the jurisdiction of Texas. And I shall claim a trial by the Maratime Laws and the Law of Nations, and shall protest against being tried by the Local Laws of this Country. The above I have written by advise of my Counsel.

Yours with due respect
Joseph Shephard
Mast Schr Robt Center

City of Austin
December 19th 1840

Hon David G. Burnet
Sec'y Secy of State.

Sir

I have the honor to lay before you a Copy of a letter from J. Shephard, Master of the Schooner Robert Center, which will explain the nature of his Complaint, and the injury he is sustaining by the delay in holding the Court.

I pray you to submit the matter to His Excellency the President and respectfully solicit him to take such measures, as in his wisdom he may think proper.

With renewed assurances of my high consideration
I am Sir, Your obt Servant
Alcée La Branche

Windward Islands
Government House, Barbadoes
26th December 1839.

E. Macgregor
Governor
to the
President
Concerning
certain British
Ships, and
remarking
demand for same

To
His Excellency the
President of Texas

Sir

Commander Ramsay, of Her Britannic Majesty's Sloop of War, the Pilot, will have the honor of delivering to Your Excellency, having been ordered by His Excellency Sir Thomas Hard

Vessels on the North American and West India Stations, to Proceed from thence Por. to Texas, for the purpose of Conveying thither, and of there supporting the application of Commander Hamilton of the Royal navy, who is charged on the part of Her Majesty's Government, with the duty of demanding from the Government of Texas, the identifying and recovering certain British Negroes, supposed to be detained in Slavery in that Country.— Relying on the disposition of your Excellency to promote the objects for which the above named officers are about to repair to Texas.

I have the honor to be with high Consideration, Sir Your Excellency's Mo. obt. & Mo. humble Servant

Ed Murray MacGregor
Governor

Texian Legation
Washington Jany 12th 1840

Hon Alexd. G Burnett
Actg Secy of State

Mr Dunlap to Secy of State

Sir

I have the honor to acknowledge the receipt of your letter Our last evening dated the 2nd inst advising me that the Senate had refused to confirm My nomination as Minister to this Government.— You also advise me that the President desires me to remain in the discharge of my duties, until my Successor shall arrive to which you may assure the President I will yield a cheerful obedience.— The kind appreciation which you have been pleased to bestow upon my services to the Republic, is received with that sensibility and gratitude, which I trust becomes the Representative of a young & free nation, destined at no distant day to obtain a high & useful rank in the political world.— To obtain the approbation of my Government, and my Country, touching any thing I may have done, growing out of the duties of my present station, was the great object of my ambition.— This was the only reward that I hoped for, and the only one that I valued in my mind for my services.— The Congress of the United States have a proposition before it for the establishment of a territorial Government at the mouth of the Columbia.— It is also understood that this Govt is attempting to purchase upper California from Mexico, as she has no good Port on the Pacific.— The Port of St Francisco is said to be the best on the Pacific.— This is a most important matter for the consideration of the Govt of Texas If this Port should fall into the possession of the United States, it will be forever out of the reach of Texas, and will certainly circumscribe her growing power, and cripple her means for future advancement.— Should Mexico conclude her present relations with Texas at this place, by a Treaty of Cession amity &c. You are aware that the Minister to this Government, has no instructions to alter the present boundary as recognized by our Laws, between Texas & Mexico

Not being confirmed as Minister by congress

Congress of the U S about establishing a territorial Govt upper california

I avail myself of this occasion to offer you my highest consideration and regard

R. J. Dunlap

Texian Legation
Washington 27th January 1840

Dunlap to Forsyth

Hon John Forsyth
Acting Secy of State of the U. States.

Acknowledging Forsyth's note

The undersigned Minister of the Republic of Texas, has the honor to acknowledge the receipt of the note of the Secy of State of the United States of the 23rd Inst in answer to his of the 16th inst.—

Gen. Dunlap was very happy to rec

enlistment of seamen

the opinion that there existed any feelings of unkindness or inhospitality with the Press in of the United States towards the Republic of Texas, but that he feared that the terms and character of the first communication of the Secretary of State relative to the imputed conduct of Commadore Moore might be liable to misapprehension which he should sincerely regret.= Genl. Dunlap is aware that an unwavering fidelity to all her foreign obligations is not one of the least distinguishing traits in the diplomatic character of the Government of the United States, and it is upon this, more than upon the common origin of the Citizens of the two Countries, that her Government so confidently relies for the perpetuation of that friendship and good will which so uninterruptedly characterized the whole action of the two Governments towards each other.= Genl Dunlap has the honor to submit to the Secy of State of the United States a copy of a letter from Commadore Moore to him of the 20th inst in which he disclaims having enlisted any seamen in violation of the act of Congress.= The undersigned avails himself of this occasion to offer renewed assurances to the Secretary of State of the United States of his very distinguished Consideration.

R. G. Dunlap.

U. S. District attorney's office
New York Jany 2nd 1840

Butler U S Atty. to Comr. Moore concerning the enlistment of certain Seamen

Edwin Wr Moore Commander of
the Colorado Texan Brig of war
New York

Sir

Evidence having been furnished to me that Edward Larkin, William McGinnis and Michael Meham, citizens or residents of the United States have lately been enlisted in this City into the naval Service of the Republic of Texas, contrary to the provisions of the act of Congress of the United States, I have applied for and obtained a warrant for their arrest which is now in the hands of the marshal of the U States for this district.= These persons are believed to be on board the Texan Brig of war Colorado Under your Command now lying in this port, and I have the honor to request that you will either send them on shore that they may be served with the process referred to, or that you will make such other arrangements with the marshal or his deputy by whom this Communication may be delivered to you as to effect that object.=

I have the honor to be
Very Respectfully your obt Servt
B. F. Butler
U. S. Attorney

American Hotel
3rd Inuy 1840

B. F. Butler
U S District attorney
New York

Sir

Your letter of Yesterday has been received.= I shall go down to Staten Island where the Colorado lies, on the Steam Boat at 11 Oclock tomorrow and would be pleased if the U.S. marshal will accompany me, on board the vessel under my Command, where he shall have every facility rendered him in the fulfilment of his duty.

Answer

Very Respectfully your obt Servt
E. Wr Moore
Comr in Chief Texas

Texas Brig of War Colorado
off Staten Island June 4th 1840

To
B. F. Butler Esqr
U. S. District attorney
New York

Dom. Moore. U. S to Atty about enlistment of Seamen

Sir

Mr Blucher the Marshal accompanied me on board this forenoon at my request and upon our examination of the Crew by the First Lieutenant I have to inform you that neither of the three men named by you, on your note of the 2nd Inst. Viz. Edward Larkin, William M Gennis and Michael Mahan are on board this Vessel

I have the honor to be, Sir,
Very Respectfully Your Obt. Servt
E. W. Moore
Comd'r in Chief Texas Navy

United States District Attys Office
New York June 4th 1840

To
E. W. Moore
Comd'r in Chief Texas Navy
New York

U. S Atty to Comr. Moore concerning the enlistment of Seamen.—

Sir

Excellency having been furnished to me that Wm Reuncy and John Washington have recently been enlisted in this City into the service of the Naval Service of the Republic of Texas, Contrary to the provisions of the act of Congress of the United States.— I have deemed it my duty to obtain a warrant for their arrest, which is now in the hands of the U.S. Marshal.— Being also informed that these men are now on board the Brig of war Colorado under your command now lying in this port, I have the honor to make the like request in respect to them which I was made in my letter of the 2nd inst in regard to Larkin &c to which you replied in your note of the 3rd inst.

I have myself of this occasion to express myself of the just & liberal terms of that reply & my hope that the like course will be pursued in the present instance.—

I have the honor to be
Very Respectfully Your Obt Servt
B. F. Butler
U. S Attorney

Texas Brig of War Colorado
off Staten Islands, 6th June 1840

To. B. F. Butler Esqr
U. S. District Attorney
New York

Dom. Moore U. S Atty. Answer to above Subject

Sir

In reply to your letter of the 4th Inst I have the honor to to inform you, that since the Vessel arrived in this port no resident or citizen of the United States has been enlisted into the Naval Service of the Republic of Texas, either by me or any officer of the Vessel under my Command.—

And I have further to inform you that the orders from the U S Secretary of the Navy to me, are very explicit in relation to the

Feeling assured that some malicious person or persons have been preferring false evidence to you, I deem it my duty, in order to save myself any further trouble to decline complying with the request of your note, at the same time allow me to assure you Sir that it is my firm intention, not to commit any act, which will at all tend to effect the friendly relations at present existing between the Government of the U. States and that of Texas.

I have the honor to be Sir
Very Respectfully Your obt Servt
C. W. Moore
Comd. in Chief Texan Navy.

Copy of a letter from United States District Attorney to Mr Forsyth

United States Attorney's Office
New York January 8th 1840

Butler
U.S Atty. to
Mr Forsyth
transmitting
certain affidavit
Concerning the
Conduct of
Com. Moore
in enlisting
certain U.S
citizens as
Seamen, in
Texan service

Sir

I have the honor to transmit a copy of an affidavit prepared by me on the 30th ult. in Consequence of a Communication made to me by Commodore Renshaw Commander of the Navy Yard at Brooklyn upon the verbal statements of Lieutenant Hunter the bearer of the Commodores letter. — upon this affidavit I obtained a warrant against the several persons named in the affidavit for a Violation of the 2nd Section of the act of Congress of the 20th April 1818, Commodore Moore and each of the other parties on being arrested, gave bail, or entered into personal recognizances to appear at the next term of the Circuit Court of the U. States to be held in this City on the last Monday in Feby next. — At the time these proceedings were taken I could not ascertain the names of any of the persons who had enlisted and gone on board the "Colorado" — on the 2nd January. — I obtained the names of three of the number and thereupon obtained a warrant for their arrest, not so much with a view of punishing them as for the purpose of breaking up the measures taken by the Texian Commodore to complete the Moving of his Ship in Violation of our Laws. — Aware that this process could not be served on board the Texian Brig of war, I addressed a note to her Commander a Copy of which (No 2) is enclosed to which I received the reply also enclosed (No 3). — Pursuant to his offer and request, the Marshal on the 4th instant accompanied Commodore Moore on board the Colorado, but without taking any process on board, and so distinctly informing Com. Moore. The three men named in the warrant were not then found on board and Com. Moore thereupon addressed me the enclosed letter marked (No 4) In the mean time two of these men Larkin and McGinnis had been found on this City and were arrested. — They stated that early on the morning of the 4th they were sent on shore by the 1st Lieutenant of the Brig (Lear ning) from them the names of the two other persons who had enlisted, I obtained a warrant for the last named two persons, and thereupon addressed Com. Moore a letter of which a Copy (No 5) is enclosed. — The Marshal reported to me that Commodore Moore had refused on monday to admit his Sheriff, having requested the Marshal to accompany him, and had declared that the men, if on board, should be sent on shore. — On the Marshals Calling on him on Monday for this purpose, he drew that he had reconsidered the reply, and would address me a letter which he did, the next day (that declining) a Compliance with my request. — This reply (No 6) is enclosed. Since its receipt, I have not deemed it proper to make any further application to him. —

I deem proper that the steps taken by me to in this Case, and the proceedings which have thereon our process should be

(for 7) embracing the substance of a statement made to me by one of the boatmen first arrested, and which from other information received by me, I believe to be true.

Sworn to before me
B. Sh. Butler
U.S Dist. Atty

To
Hon. John Sloss Hobart

United States of America
Southern District of New York

O. S. Hunter affidavit

Com. Moore. enlistment of Seamen.

Charles S. Hunter Lieutenant in the Navy of the U States at present employed on board the United States Ship of War North Carolina lying at the Navy yard at Brooklyn being duly sworn deposes and says that from information communicated to Commodore Rikard the Commandant of the aforesaid Navy yard, and which has come to the knowledge of this deponent, and which he believes to be well founded, there is reason to suspect and believe that Edward W Moore Commander of a Texian Brig of war called the "Colorado" which Brig is now lying in the harbour of New York, has for some time past been engaged in procuring and retaining within the Jurisdiction and jurisdiction of the United States, citizens of the United States and other persons to enlist themselves in the service of the Republic of Texas as marines or seamen on board the said Brig of war the Colorado; and that for the purpose aforesaid two or three times past ten men have been enlisted in the City of New York, at which several men have recently been enlisted for the purpose aforesaid, who have actually gone on board the said Brig of War. The deponent further says, that from the information aforesaid there is reason to suspect and believe that R Benson, J. M Benson, Nicholas Rose, Robert Tilford and James Jackson have aided and assisted the said E. W. Moore in the manner aforesaid, and that they have acted in enlisting and having shipped of the United States and other persons within the territory and jurisdiction of the United States into the service of the said Republic of Texas

Sworn before me this 31st Dec 1839.
J Rufus
U. S. Com.

Signed C S Hunter
Lieut U.S. Navy.

Rob. Tilford Affidavit Same Subject

Southern District. New York ss.

Robert Tilford of said District being duly sworn deposes and says that he has been a boatman engaged in carrying persons in and about the Harbour of New York for the period of about seventeen years, during all which time his station has been at the Fulton Market Slips, and in the immediate vicinity. That about a fortnight ago, deponent was employed by Nicholas Rose a butcher in Fulton Market, who was at that time engaged in enlisting men for the Texian Service, to carry persons who had been so enlisted on board the Texian Vessel of War Colorado, Commanded by Edward W. Moore then lying off the battery a little above Castle Garden. That deponent in the course of three days came on board of said Vessel and left there twenty nine persons, who had been so enlisted as aforesaid, and received from said Rose the sum of twenty one dollars for his said services. That of the persons so carried on board, three persons at least were and had been for two or three years residents of the City and County of New York, and one of them was a native of said City named Peter Yetman but most of said men were strangers to this deponent.

This deponent further saith that from conversation had with said Irwin, & upon the time they were on board he does not believe that more than three of the

that ever been in Texas. This deponent further saith that all the Seamen were engaged at the same time with himself in carrying offence to the Codorus and that he believes that a large number of them, at least one hundred and more, were so carried off.

(Signed) Robert Redford

Sworne before me this 8th day of January 1840
(Signed) J. Prefleger
U.S. Comr

Copy of a letter from Mr. Forsyth to Genl. Murdoch.

Department of State
Washington January 15th 1840

Mr. Forsyth to Mr. Dunlop concerning the conduct of Comr. Morris

Sir

I have the honor to communicate a copy of a letter to this department from the attorney of the United States for the Southern District of New York, and of the documents by which it was accompanied. From these papers it appears that he has deemed it his duty to commence legal proceedings against Edwin W. Moore Commander of the Texan Brig of war Codorus, and against others, for enlisting men within our territory to serve on board that vessel, contrary to the 2d section of the act of Congress of the United States of the 20th April 1818.

You will, without doubt promptly inform your Government of the grounds and motives for the proceedings against Mr. Moore, and his confederates, no. conjecture or suggestion in regard to them can be conceived but it will undoubtedly that they were originated in the desire and determination of the Executive of the United States to use all legal means to preserve our neutrality between Texas & Mexico and to maintain relations of friendship and good will with both governments. You are however directed by the President to acquaint you, that if any new and more formidable complaints of a similar character are made against any Naval officer in the service of your Government the President will deem it his duty to exclude the vessels of war to which they belong from the waters of the United States.

I avail myself of this occasion to offer you renewed assurances of my very distinguished consideration

(Signed) John Forsyth

H. R. G. Murdoch

(Copy)

Texian Legation
Washington Jany. 16th 1840

Mr. Dunlop to Mr. Forsyth concerning the conduct of Comr. Moore

Sir

I have the honor to acknowledge the receipt of your Communication of yesterday touching certain legal proceedings had by Commenced against Edwin Moore, the Commander of the Texan Brig of war Codorus. I shall without delay advise my Government of the proceedings and determinations of the authorities and of the President of the United States. From any inability to learn from the Correspondence between the District atty. of the United States and Commodore Moore, which is enclosed with your Communication, that the Secretary of the Navy of the Republic of Texas forbid the Commodore to do any act in violation of the neutral relations subsisting between this Government and Mexico. I feel every way confident any Government has not and will not do any act inconsistent with the spirit of conciliation and good will which has ever characterized the Government and people of Texas to the Government and people of the United States. With regard to that the

had an opportunity to answer an application of this alleged conduct of Commodore Moore and some of his officers. Should have left this matter, to explain the history of this matter to have threatened to exclude from the Ports of the United States any Vessel of war, Commanded by any of the officers alleged to belonging to the Republic of Texas, and especially when that threat is founded upon a Contravention, the happening of which is directly at war with the whole Conduct of my Government towards the Government of the United States

I avail myself of this occasion to offer you renewed assurances of my very distinguished Consideration.

(Signed) R G Dunlap.

To Johns Forsyth Esq

Steam Brig of War Austin
January 24th 1840

Sir

R. G. Dunlap
Minister from Texas

Sir

Since the arrival of this Vessel at this Port, many efforts have been made to make it appear, that I have violated the neutrality of the United States, and I take pleasure in informing you that many of them have already proved abortive and that the rest will, there is not the slightest doubt in my mind. A Considerable portion of the powder of this Vessel was damaged in consequence of a leak in the magazine during a heavy gale when we encountered, and I have not refused it, nor do I intend committing any act which will at all lead to alter our relations. The day before Yesterday a man calling himself Warner made application that I send for him, and on his coming to my Harbour, that he offered to give him the County of the world Ship, which, he says he declined doing. Fortunately however, I have evidence that on a man of that name, sending his name up to me, and that he wanted to Ship I replied that I wanted to Ship no one ... on the other hand upon application being made by one for a warrant to apprehend three of the crew of this Vessel who were decoyed in to boarding houses in New York, it was refused on the score of there being no Treaty, and all who these men shipped in Texas I have not been able to recover. I deem it my duty to inform you of these facts, and that I have observed most Scrupulously the Neutrality of the United States. This Vessel is now undergoing, and I hope not to have to visit this Port again in one of our Vessels unless we are at peace with Mexico.

I am Respectfully
your obedient Servt
E. W. Moore.
Capt Commanding
Texas Navy.

Texas Legation
Washington January 27th 1840

Wm Moore to Dunlap in justification against the accusation made against him & Seamen.

Wr Dunlap to Secy of State covering wr Moore

Hon David G. Burnet
Actg Secy of State

Sir

I have the Honor to enclose to you a copy of a correspondence between the Secretary of State of the United States and myself relative to certain Legal proceedings had in New York against Commodore Moore with a copy of those proceedings as enclosed to me.

I also send you a copy of letter of Commodore Moore to me, which was just before he sailed for Texas via Cam

Conduct charged against him

I have the honor most Respectfully
to be your obt and humble Servt
R G. Dunlap

New York 13 January 1840

(Copy)
Commodore
James Renshaw.
Comdg Naval Station
New York

Mr Page to Mr Renshaw concerning Comd Moore

Sir

John Gallagher States that his Son Francis Gallagher, Shipped 18 mo ago as an apprentice on board the Hudson, 2 last of the U S Brig Consort, is now on Board the Texas Brig of war; It occurs to me, that it might be very desirable, if this is really the case, to procure this boy, by means of whom the allegations already made against that Brig may possibly be made good & thus save trouble. I have therefore given this to the Father of the boy supposing you might wish to make use of him in identifying his Son; I have advised him to go over and see you.

I am Sir with the greatest respect
Your obt Servant
(Signed) Benj Page
Commander

(Copy)

Navy Yard New York
January 13th 1840

Commodore E H Moore
Comdg Texian Brig of war Colorado.

Comd Renshaw to Comd Moore about enlistment of Seamen

Sir

Information has this moment been received from the Father of Francis Gallagher, who Shipped 18 months ago, as an apprentice; and was transfered to the United States Brig Consort, from which Vessel he deserted is now on board the Texian Brig of war Colorado, Under your command.

Lieutenant Bispham of the United States Navy the bearer of this, is directed to take the Father of said apprentice and confer with him in order that he may recognize his Son and if on board, he is authorized to demand him, as a deserter from the United States Navy.

I have the honor to be
Your obt Servt
(Signed) J Renshaw
Commandant

Navy Yard New York.
January 13th 1840

(Copy)

Mr Renshaw to Mr Bispham Concerning Comd Moore

Lieutenant Jno E Bispham
U. S. Navy

Sir

Herewith you will receive a letter of this date to my address from Commander Page of the United States Navy, informing of Francis Gallagher an apprentice in the Navy, and deserter from the United States Brig "Consort" now on board the Texian Brig of war "Colorado" now at anchor in this port. You are to the address of Command demanding said de

you will receive and bring him to this yard, delivering him to Capt Shubrick Gallagher Commanding Receiving Ship "North Carolina"

I am Respectfully your obt Servt
J. Renshaw
Commandant

Copy

New York January 14th 1840

Commandant
J Renshaw.
Navy Yard. New York

Sir

Your note of Yesterday was handed to me by Lieutenant Bispham of the United States Navy, stating that information had that moment reached you, that an apprentice named Truman Gallagher was on board the Colorado, and that Lieutenant Bispham was directed to take the Father of said Gallagher on board the "Colorado" in order that he might recognize him, and if he were found on board, Lieutenant Bispham was "authorized" to demand him as a deserter from the United States Navy.—In reply for I have to state that the right claimed by you of sending an officer of the United States Navy on board of Vessel belonging to the Navy of Texas, for the purpose of ascertaining if any information which you may have received in relation to deserters from the Navy of your Country be correct or not, is one which I do not recognize in you, or any other officer in the Navy of your Country.—

I cannot do otherwise than express my astonishment, that an officer of the United States Navy should claim the right of searching a Foreign Vessel of war under any circumstances, and more particularly that you, Sir, should claim that right after the conversation we had on the subject of deserters from the United States Service entering that of Texas in which I expressed myself to you fully and frankly, and offered to meet you more than half way on the receipt of information being received by you that a deserter was on board a Vessel under my Command, but at the same time stated to you most explicitly that if an officer visited a Vessel Commanded by me for the purpose of indentifying a deserter, the proposition must come for me.—Since we have been in this Port I have lost thirty five of the Crew that came here in the "Colorado" some I have learned beyond doubt have left this Port in Merchant Vessels, others are now secreted by certain persons in this City, and I have been refused a warrant to take them up.—I am going down to the Colorado this evening, and if Gallagher is on board he shall be sent to the Navy yard without delay, and allow me to assure you, Sir, that it is my firm intention to permit no Seamen of the United States to leave this Port in the Vessel under my Command, and I certainly will not be the first one to alter the friendly relations at present existing between the Government of the United States, and that of Texas.

I am Sir, very Respectfully
your obt. Servant
(Signed) E M. Moore
Capt. Comdg.
Texas Navy.

Com[d]r Moore
to
Mr Renshaw

refusing the right of having his vessel searched for certain individuals

appears to be no part.

Copy

United State District Attys office
New York January 15th 1840

Commandant James Renshaw.
Navy Yard Brooklyn

Sir

I have had the honor to receive your [illegible]

Mr Butler to Mr Renshaw about the Right of stoping a foreign Vessel for certain purposes

by Lieutenant Hunter, and have conferred with that gentleman in relation to the facts presented in your letter — although cases may undoubtedly occur, in which a Naval officer of the United States, Commanding a force in one of our Ports, would be justified in stopping a Vessel of war belonging to a friendly Power, yet as every Vessel of such a Power comes into our waters, under the Sanction of the Law of Nations, and with a claim upon the hospitality and respect of our authorities, it must be a strong and clear case which would authorize such an interference — In the present case; there would seem to be other reasons, of a special nature, against any such step in the first instance — The Proximity of this Port, to the Seat of Government enables us to receive instructions in a few days from the Executive; and although before you can receive a reply from the department, it is possible the Colorado may have sailed, yet in such an event it is not to be doubted, that the Government of the United States will pursue the matter, so far as the rights and the honor of the Country may require, until full redress shall be obtained — Texas is also a very small and weak Power, and it is proper therefore to exercise a greater degree of forbearance towards her, than might be expedient in other and different cases — I cannot obtain any process which will detain the Vessel, nor is the case as stated, one which will authorize any proceeding against Capt Moore, under all the circumstances, therefore, I recommend that you make another application to Capt. Moore for Gallagher provided you are satisfied he is really on board the Colorado, and also for the other deserters in respect to whom, as Lieutenant Hunter informs me you expect a report, and in the event of his refusing to deliver them, that you make a full report of the matter to the Navy department and await its instructions on the subject — The correspondence of Capt Moore is herewith returned.

I have the Honor to be very Respectfully your
obt Servt
B. F. Butler
U. S. Attn

(Copy)

Rendezvous New York
January 16th 1840

Mr Page to Mr Renshaw relating to Com'd Moore

To
Commadore James Renshaw.
Sir

I send Ho Warner over to you, with his affidavit in duplicate, relative to the operations of Commadore Moore, this evidence is very pointed and important, and therefore have secured it on the spot — Warner wishes to have his liberty out, and will go on board tomorrow. he shipped here as a Seamen 14th inst — The man Brown who shipped here 2nd Lieut. has not since appeared, nor can I get any certain information yet relative to him, it is said however by Sol Marks as you already know, that he is on board the Colorado, and by the enclosed affadavit, it would appear that there are two of our apprentices on board of her who ran from the North Carolina according to their own account

I am Sir Very truly
(signed) Benj Page

Copy

I Henry Warner a Seaman in the Service of the United States Navy, do
H. Warner's Affidavit concerning Com'd Moore's enlistment of Seamen
by depose and declare — That previous to my present enlistment, in the navy of the United States, I was solicited by Commadore Moore of the Texian Navy, and representing himself to be sent by Commadore Moore of the Texian Navy, came to my boarding house at 3 Washington Street, on or about the 12th day of January 1840, for the purpose of enlisting Seamen for the American Hotel and with this investigation, I

That I (Thos Gorne) was urged this day by Commodore Moore and Lieut Renshaw to go to

day of January 1840 the same person whom he knew by the name of Sam, again ordered at his boarding House, and said that the said Commadore E.W. Moore wanted to see this deponent.— And this deponent further states that he again went up in compliance with this request to the American Hotel in Company with this person and said Com Commadore Moore in his parlour at said Hotel, deponent saith that the said Commadore Moore is the same person, who was the 1st Lieutenant of the United States Sloop of war Boston, when deponent was serving in the west India Squadron in the year 1838.— The said Commadore Moore, then proposed to this deponent to enter as a Seaman on board the Texian Brig of War Colorado, and offered him a bounty of $40 and the same monthly wages which is now paid to Seamen in the United States navy. This deponent further states, that he refused to accept of the offer, made him by the Commadore to enlist.— and this deponent further states, that on or about the 10th day of January 1840, this deponent was at his boarding house, when two young men, in the dress of men of War's men, came in and represented themselves as being deserters from the United States Navy, and declared their intention of shipping on board the Texian Brig of war Colorado, and were then on liberty, that they had just come up in the Steamer from Staten Island when the Colorado lay, with Commadore Moore and enlist for the said Brig Colorado, saying that Commadore Moore had sent them to him for this purpose, but which this deponent declined to do, and this deponant further declares, that these persons, one of them being the aforementioned person Saw, and the other one, whom he knew by the name of Frank. came frequently to him on the same errand, that is to urge him to ship which he always declined doing.— and this deponent further States, that an acquaintance of his, a Seaman named John Salters who boarded next door to him, told him on or about the 8th January 1840, that he the said Salters had been enlisted by Commadore Moore a day or two previous as a Seaman on board of said Brig "Colorado" that he was doing the duty of Boatswains mate on board of her, and that he had received a bounty of $40 which was paid him on board of said Brig, and deponent further saith that he was this day informed, that the said John Salters is at the present moment on board of said Brig Colorado, and further this deponent saith, that the said John Salters to the knowledge of this deponent has been for the last twelve years a Seaman in the Service of the United States, and has only been discharged for a few weeks from the Service of the said United States

(Signed) Henry Warner. Mark+

Given before me this 10th day
Jany 1840
(Signed) A Rapelje
Us Comr

Copy

Commadore James Renshaw

New York 14th Jany. 1840

Sir

Thos Gorne to Com. Renshaw

In compliance with your request, I have to report that I have called several times on the District attorney on discharge of my acquiring duty, and stated to him the names of several persons as witnesses in the Mat=ter of letter of the Texian Brig Colorado, among a sailor Landlord, (a negro man) named Warren by John Russell, whom I suppose had Shipped some of the men, and at his request Mr Moore I made an affidavit of the same to the best of my knowledge and infor=mation.— I understand since she has been at Staten Island that a great many men have been Shipped, one of the Captains now acting as an Agent for one of the Steam Boats flying to Staten Island as a ferry

Boat, informs me that hardly a trip is made by the Boat, but six or Seven men are sent down to the Brig.- Immediately after I mentioned the name of John Russell to the District attorney, I learn he has enlisted at whitehall, others have since been enlisted, and one Coloured man of the name of Turner.- I saw at 106 South Street 3 mens things on a cart, I enquired from the man whom I supposed was Shipping them, and he replied that they were going on board a New Orleans Vessel, satisfied from my own knowledge that no Vessel, was up for New Orleans wanting men, I made further enquiry of the man Turner, named above, and he told me that they were going on board the Texan Vessel, which I have no doubt was the fact.- Thus you will see that the Shipping of men since the arrest of the Commander of the Texian Brig, has been going on.- They are shipped as I learn as emigrants, and understand keep his promise.- Some of the men are found on shore and arrested, and discharged from the Brig.- From what I can learn she is pretty well manned on Shipping with men.- I think I shall tomorrow morning go down to Staten Island, and take some person with me, and endeavor to find out the facts of the case as nearly as I can. I understand the Commander of the Brig allows no one to visit her, and that my movements are watched closely, I am threatened by the Boatswain and others interested, but this will have no effect in deterring me in the discharge of my duty, I shall do it boldly and fearlessly, I know that a great many falsehood will be told about me, but I know that you understand my character, and that you will appreciate my motives.- I shall do my duty without regarding consequences.

I am Respectfully
Your obot Servt
(Signed) Thomas Goine

The first name of several men, have been ascertained as being on board the Brig, the Commencement of the letter, and the last the name I understand

Copy

Dear Sir

I take leave to send George Franks, for the purpose of having his deposition taken in relation to a deserter from the United States Navy, now on Board the Texian Brig of war "Colorado"

The said deserter was seen by Franks some short time since on board the Colorado.

With great Respect
Your obot. Servt
(Signed) I. Renshaw

How B F Butler
US. Atty

Southern District New York. ss.

George Franks of said District being duly Sworn, deposes and says, that a person by the name of Adrian Oliver entered into the naval Service of the United States, in the month of December 1838, and was in such Service on board the Frigate Macedonian, on the West Indies Station, until the month of March 1839, when he deserted, that the said person is now on board the Texian Brig of war Colorado, lying in the Bay of New York, and of Seamanly is enlisted in the Service of the Republic of Texas on board the said Brig, by the name of Thomas Turner.- Deponent further says that said Oliver or Turner, is a native of Virginia, as deponent has been informed and believes.-

Affidavit of G Franks

Signed G. Franks

Sworn before me this 17th Jany. 1840
Signed S Rapelje
U S Comr

10

Mr Moore to Mr Renshaw concerning Seaman Ward

American Hotel
New York Jany 17th 1840

Comm.r James Renshaw
Navy Yard New York

Sir

Your letter of Yesterday was handed to me, by Lieutenant Hunter on the forenoon, and would have been answered earlier to day, but that I had to go down to the Colorado to get your letter giving me information of your having been informed that one "Apprentice deserter" from the U.S Brig Consort was on board the Colorado, and in which you also stated that Lieutenant Bispham was directed to take the Father of the said deserter on board the Colorado to ascertain if he were there, and if found on board Lieutenant Bispham was authorized to demand him.— I have less disposition perhaps than yourself, to discuss the question of right claimed by you.— Lieutenant Bispham certainly was "directed by you" to go on board the Colorado and ascertain if said deserter was on board, and correctly assured him, that if he were there he should be given up with pleasure, and wrote you as you have quoted from my letter that I was going down to the Colorado this afternoon, "And if Gallagher is on board, he shall be sent to the Navy Yard" without delay, And in reply to which assurance you state that you had been waiting to hear from me agreeably to my assurance of the 14th I considered that my not sending the Boy to the Navy Yard.— as he was not on board would have ended the matter, and did not require a Communication from me.— The enquiry which Lieutenant Hunter was instructed to make to me yesterday, was answered that a boy answering the description of the one named by you, offered his services, which were declined.— And I assure you Sir, that I would not have a deserter from any Service on board a Vessel Under my Command under any Consideration whatsoever.— I remain at this House until tomorrow afternoon and perhaps until the next day Morning

I am Sir
Very Respectfully
your obt Servt
E.W. Moore Capt Comm.dg
Texan Navy

Copy.

Navy Yard New York
January 18th 1840

James K. Paulding
Secy of Navy
Washington

Mr Renshaw to Mr Paulding covering the enlistment of seamen by Comr Moore.

Sir

In my letter of the 13th Inst I had the honor to call your attention to strong presumptive proof, that Commadore Moore had not only recruited since his arrival on this port many American seamen, but now believed to have on board the Brig Under his Command, deserters from the Navy of the United States, all of which recruits are smuggled on board the "Colorado".— of this there is abundant proof.— Under this impression at all events, I addressed him a letter, Copy enclosed No 2, which together with a letter of instructions to Lieutenant Bispham (See enclosed No 3) that officer proceeded immediately, accompanied by the Father of the deserter Francis Gallagher, to the residence of Comr Moore, at New York, and after an interview of a few minutes, left the Commadore with an assurance that if the deserter Gallagher was on board, he should be sent to the Navy Yard without delay, and a written reply to my letter forwarded the next morning.— The lateness of the hour, together with much ice running the "Colorado" lying at Staten Island, and the

returned to the Navy

not receiving the promised communication until late in the evening of the next day.— a feeling of indignation at the officer, who at the moment of receiving the hospitalities of our Port.— should be capable of acts so discourteous and prevaricating— that had it not been for the respect due to the opinions and sound judgement of our distinguished District attorney.— I should have enforced a compliance to what I considered right and proper under such circumstances.— The enclosures No 1 2 & 3 were sent to Mr Butler in charge of an officer who was instructed to confer with him on the propriety of the course I had intended to pursue.— The reply of Mr Butler is enclosed No. 5.— A proper deference and respect for which I strictly adopt, unless circumstances of a more aggravated nature should take place, of which I should not be astonished, for it appears Commo Moore puts all laws at defiance.— The other enclosures are respectfully submitted, with the object alone, to show, that I am closely watching the movements of the "Colorado".

I have the honor to be &c &c
I Renshaw
Commandant

R. J. Dunlap Esq

Department of State
Washington 3rd Feby 1840

Mr Forsyth to Mr Dunlap Concerning Comr Moore & enlistment of Seamen

The undersigned Secretary of State of the United States, has had the honor to receive the note of Genl Dunlap, minister Plenipotentiary and Envoy Extraordinary of Texas, of the 27th Ult, communicating a copy of a letter from Commodore Moore to Genl Dunlap in which the latter asserts that he had observed most scrupulously the neutrality of the United States.— It is unnecessary to remind Genl Dunlap how directly this assertion is at Variance with the information conveyed by the papers which accompanied the note of the undersigned to him of the 15th Ult.— It is also contradicted by information received at the Navy department respecting other enlistments made by Commodore Moore.— As it is understood however that he has of his own accord left the waters of the United States with the Vessel under his command, he has thereby relieved this Government from the necessity of doing more than to give the Texian Government, on the documents herewith and heretofore communicated through its Legation at Washington ample means of comparing his declarations with the information laid before the Government of the United States

The undersigned avails himself of this occasion to offer to Genl Dunlap renewed assurances of his great consideration

John Forsyth

Texian Legation
Washington 5th Feby 1840

Mr Dunlap to Secy of State Concerning Comr Moore

Hon Dav.d G. Burnet
Actg Secy of State

Sir

I have the honor to enclose you a copy the continued correspondence between the Secretary of State of the United States and myself relative to Commodore Moore's Conduct while in New York, I also send you the additional evidence furnished me by the Secretary of State touching the same. You will see that I have changed the tone of my Conversation which I considered was warranted by the Testimony.— An attempt to justify error, is only an aggravation of the offence.

I have the honor to be &c
R.

Mr Dunlap to Mr Forsyth concerning the conduct of Comr Moore enlistment of Seamen belonging to the U States

Texan Legation
Washington Feby 5th 1840

Hon John Forsyth
&c &c &c

The undersigned Minister Plenipotentiary and Envoy Extraordinary of the Republic of Texas had the Honor to receive the note of the 3rd instant of the Secretary of State of the United States in answer to his of the 27th ult with the copies of letters and affidavits, charging Commodore Moore of the Texan Navy, with attempting to enlist and ship American Seamen at the Port of New York, after his assurances that he had not and would not violate the neutrality of this Government. The Undersigned will, without delay, advise his Government of the Communication of the Secretary of State of the 3rd inst with the evidence upon which it is founded. The Undersigned is well assured that his Government will disapprobate, the imputed Conduct of Commodore Moore in a manner becoming the Honor and fidelity of the Republic, whenever it shall assume a conclusive character confirmatory of the allegations against him, Should this Government think it necessary to press matters to such a result. The history of the origin and settlement of Texas, naturally suggests that her citizens, cherishing no sentiment alien to the Government and citizens of the United States, may do acts unaccompanied with any Criminal intent, which if done by the officers or citizens of a Nation having no Kindred ties, but foreign in character as well as in national position, would wear a very different aspect, and merit much less forbearance. The Undersigned does not wish to be understood by the Secretary of State as claiming justification for acts that are strongly forbidden by national obligations, from that Congeniality of character and indiscriminate feeling of good will, which do naturally prevail among the citizens of the two Governments, and which do inoffensively, renders it so very difficult for a Texan to realize to himself that he is not still a citizen of the United States. The undersigned merely alludes to this natural Complexion of the Case that it may suggest a clue to the Secretary of State, that there is a propriety and justice in both our national and domestic relations which requires that the State and Condition of the question should be first well understood, with the mitigating Causes and motives which superinduced it before a Satisfactory judgement can be given. The State of things premises, that the relations of the two Governments, being based on the happiest elements of friendship will endure, while public Virtue shall cherish Conventional obligations and free institutions, and at the same time appeals to an honorable fidelity and a generous forbearance for the correction of errors not founded on any national Hostility.

The undersigned avails himself of this occasion to tender to the Secretary of State renewed assurances of his distinguished Consideration.

R G Dunlap

Mr. Dunlap to Minister of Foreign affairs. Mr. LaBranche wishing to withdraw from mission

Duplicate

Department of State
Washington 5th Feby 1840

To His Excellency
Minister of Foreign affaires
of the Republic of Texas.

Sir

Mr Alcée LaBranche, who has for sometime resided near the Government of the Republic of Texas, in the Character of Chargé d'Affaires of the United States, having expressed a desire to return to his country. I have directed him to take leave of Your Excellency, and to embrace the opportunity thereby afforded him to convey to your Excellency the expression of the friendly sentiments entertained by the President towards the Republic of Texas and of his desire to preserve and improve the relations of

happily subsisting between the two Countries

I avail myself of this occasion to offer to your Excellency the assurance of my distinguished Consideration.

John Forsyth

Legation of the U States
Houston 7th Feby 1840

Hon Anson G Burnet

Sir

A. LaBranche to Secy of State demanding Mr Rawson

The papers in relation to the demand of Stephen T. Mason Governor of the State of Michigan, of one Philo S Rawson charged with several crimes, the nature of which is fully detailed in said papers, will be handed to you by Mr Charles A Stewart. The Governor of Michigan relying upon the comity of Nations in the absence of positive treaty stipulations, has made a direct application to the President of this Republic for the delivery of said Rawson, as I am aware that His Excellency the President will not comply with the requisition of the Governor, unless the demand be made through me, I have in furtherance of the views of Governor Mason, to request that Philo S Rawson now in Texas, be apprehended and delivered to Messrs Charles A Stewart and James Sanders duly authorized to receive and convey him to the State of Michigan, there to be dealt with according to Law.

With renewed assurances of my distinguished Consideration, I have the Honor to be, &c,
your most obt servant
Alcée LaBranche

See file for papers relative to the above case of P S Rawson

Agreement between Mr Sprague & Mr Saligny to exchange Ratifications of the Treaty of France & Texas

We Abner S Lipscomb Secretary of State of the Republic of Texas & Monsieur Dubois de Saligny, Chargé d'Affaires of His Majesty the King of the French, accredited to the said Republic of Texas, Knight of his Royal Order of the Legion of Honor &c &c &c

Have agreed to exchange the Ratifications signed by His Majesty the King of the French, on the second day of October in the year of our Lords One thousand eight hundred and thirty nine, and those Signed by His Excellency the President of the Republic of Texas, on the thirteenth day of the present month, of the Treaty of Amity, Navigation and Commerce, Concluded and Signed at Paris, by the respective Plenipotentiaries of France and Texas, on the twenty fifth day of September One thousand eight hundred and thirty nine.

Therefore the aforesaid ratifications, having on both sides, been found in good and due form, the undersigned have formally exchanged them.

In witness whereof, we have signed this act in duplicate with our respective Seals at the City of Austin this fourteenth day of February in the year of our Lord one thousand eight hundred and Forty.

Mr. Dunlap to Mr Forsyth

Washington 24th February 1840.

The undersigned, Minister Plenipotentiary and Envoy Extraord of the Republic of Texas, has the honor under the instructions ment to submit to the Secretary of State of the Un Saunders & friends

for the property stolen by the Cherokee Indians of the United States from said citizens of Texas and the particulars of said claims, as required to be submitted, and the name of Mr Stockbridge to the second article of a treaty of boundary of the Republic of Texas and certain Indian tribes.

The undersigned avails himself of this occasion to renew to the Secretary of State of the United States assurances of his high consideration.

R. G. Dunlap.

Mr Forsyth to Mr Dunlap

Department of State
Washington 26th July 1840

Mr Forsyth to Mr Dunlap—Claims of citizens of Texas for property stolen by Indians—

The undersigned Secretary of State of the United States has the honor to acknowledge the receipt of the note addressed to him on the 24th inst. by Genl Dunlap, Minister Plenipotentiary and Envoy Extraordinary of Texas, submitting a claim of certain citizens of Texas to reparation for property alleged to have been stolen from them by the Cherokee Indians of the United States. The President desires from Genl Dunlap's note to learn if they are the same claims which were submitted to the undersigned by Genl Dunlap on the 24th ult. The undersigned is instructed by the President to inform Genl Dunlap that this Government cannot, in no event, consider itself responsible to Foreign Powers for any thefts committed by Indians whether residing within or beyond the limits of the United States.

The undersigned takes this occasion to renew to General Dunlap assurances of his high consideration.

John Forsyth

Mr Dunlap to Mr Forsyth

Legation of Texas
Washington March 27th 1840

Mr Dunlap to Mr Forsyth—relating to the claims of the Republic of Texas for the restitution of property stolen by the Indians—

The undersigned Minister Plenipotentiary and Envoy Extraordinary of the Republic of Texas has the honor to acknowledge the receipt of the note of Laine of the Secretary of State of the United States of the 26th ult in answer to that of the 24th from for restitution, relative to depredations committed by the Indians of the United States upon the property of the Citizens of Texas.

The undersigned is truly happy to observe that the President of the United States takes this occasion to manifest the friendly disposition of the Government of the United States, towards that of the Republic of Texas, a fact however, which the undersigned never had doubted, nor ever can doubt, who are acquainted with the friendly course of the President, and the feelings of the Government of the United States. The Undersigned observes that the papers presented by the Secretary of State of the United States, for the investigation of the claims of the Citizens of Texas, above alluded to, to be the production, subsequent to Government to procure the evidence of those claims furnished, to be submitted to the Government of the United States, and accept the proffer of its kind offices to procure of the nation of those depredators, the restitution of the property stolen, or the payment of its value.— The Undersigned at the same time must respectfully protest against the soundness or applicability of the rule, upon which the Government of the United States as a last resort may refuse payment for any depredations committed by the Indians of the United States upon the property of the Citizens of Texas in the present case

sion a specified Treaty stipulation.— The undersigned will not however go into argument on this question at present, as he entertains the hope, that the course indicated by the Secretary of State of the United States, will be issued favorably to the parties interested

R. J. Dunlap

Mr Dunlap to the Secretary of State of Texas.

Legation of Texas
Washington 27th. March 1840

Hon. Abner S. Lipscomb
&c &c

Mr Dunlap to Secy of State of Texas — relating to the claims of Texas — relating to claims of certain persons

I have the honor to enclose a copy of the correspondence between the Secretary of State of the United States, and myself relative to certain claims for depredations committed by the Indians.— In case the question of the liability of the United States were now urged, and the Government after a protracted discussion should allow the claims, there payment could only be obtained through an appropriation by Congress and might occasion a delay of one or two sessions.— The course indicated by the Secretary of State of the United States is the speediest and perhaps the surest, as the money can be paid out of the annuity due to those Indians.— Therefore the claimants should procure the evidence of their claims in strict adherence to the rules of taking testimony in such cases, and have it forwarded to the Representative of Texas to be submitted to this Government.— The claim received now is a mere statement of one of the parties without any accompanying evidence, and no matter how upright and honorable the party may be, the United States Government will never feel willing to receive such a statement as a substitute for legal testimony. And now I trust you will pardon me in submitting my reasons for declining to present to the Government of the United States the demand for satisfaction in the case of Genl Henderson.— I should not assume this responsibility only Gen Henderson that I am certain my return home will not allow me to conduct the case to its conclusion. Any successor who is daily expected can have the management of the whole matter prosecuted.— When the instructions of my Government to demand, that those persons who violated Genl Henderson's privilege shall be indicted by the Court, is given in the most respectful spirit.— To constitute an indictable offence either the Laws of the State in which the arrest was made, or the laws of the United States must have marked the offence, without either the other no indictment could be sustained, the law of Nations does not give jurisdiction to either the State or Federal Courts further than the same may be recognized by some enactment.— Modern times and especially the present age has enlarged and liberalized the rules of Comity between nations, it is owing more to this spirit, and the reason of the rule which protects a Minister from arrest within the Government to which he been accredited, than to any express established International Law that he shall be entitled to exemption from arrest in passing to and from that Government.— In a criminal prosecution this right would be more rigidly scrutinized, than in a civil action, supposing that the Courts have criminal jurisdiction.— The arrest in this case was not by the direction or for the Government but made on the application of a mere individual.— From the character of the institutions of the United States if the President had ordered the release of General Henderson, the Court would not have regarded it but have confined me to the law which granted the privilege as a mode for its accession.— When the Government had not in the most remote degree participated in the offence, the propriety of asking its interposition for redress, is very questionable, more especially when the offence had not violated some conventional obligation subsisting, between the two Governments.— I am satisfied that Genl Henderson would rather have been treated in this manner than to give him any pecuniary reward, nothing would afford me more pleasure than to give him adequate redress for the attainment of an adequate redress.— These are hastily thrown before the consideration of my Government.— I have the honor to be &c &c

Mexican Legation &c

relating to the invasion of Texas by Mexico & relative matters

friend who informed me last evening, that a Mexican was secretly organizing an army for the invasion of Texas, and spoke of the conquest of the country with much confidence. Bustamente is to have the command and intends not to divide his forces but move in a body over the country. If it is true that Great Britain has obtained the Californias, it may be that her ambition for colonization and conquest may induce her to give secret aid to Mexico, which must certainly terminate in a war between her and the United States, in fact I do not consider a war between these two Countries as entirely unfounded, and I give these hints that all the contingencies may be looked at, and provided for. Gen. Bee wrote some time since from Pendleton S.C. that he would be in Washington by the first of April, since the receipt of his letter I have informed him of his Commission owing the arrival of Credentials, draft &c. The papers relative to the melancholy fate of Col Johnson are received and will have due attention.

With great consideration
Your obedt Servant
R. G. Dunlap

Texan Legation
Washington Feby 24th 1840

Mr Dunlap to Secy of State concerning property stolen by the Cherokee Indians

Hon. Dav'd G. Burnet
Acto Secy of State

Sir

I have the honor to acknowledge the receipt of your communication of Janry 10th ult with its enclosure, asking remuneration from the United States Government for property stolen by the Cherokee Indians of the United States, from the citizens of Texas, which I have this day, under your instructions submitted to that Government.

I avail myself of this occasion to offer you renewed assurances of my high consideration

and am very Respectfully
your obedt Servt
R. G. Dunlap

Texan Legation
Washington 24th Feby 1840

Mr Dunlap to Secy of State concerning the negotiations of Mr Treat in Mexico

Hon. David G. Burnet
Acty Secy of State

Sir

I received a letter this morning from Mr Treats Agent in New York, who states that he has received a letter from Mr Treat dated Mexico 16th Jany ult, wherein he says that although he has not yet accomplished any thing, he entertains hopes of success, but that the late movement of the Federalists in the North of Mexico, has retarded his negotiations.

I have the honor to be
your obt Servant
R. G. Dunlap

Texan Legation
Washington 3rd March 1840

Mr Amory to Secy of State inviting Co

Joseph Waples Esqr.

Sir

The object of the present is to request you to subscribe to

in that way— and carefully forward Via Arkansas— it is of you must be fully aware of immense importances to the interests of Texas here, and the only medium through which we can hope for intelligences to enable us to answer many enquiries— of course the bills will be presented and paid at your Department.— I beg you will send us gazettes of everything, new and old Laws journals and every thing of the kind that you can take and scrape, portions of which will have distributed to Consuls &others.

Very truly yours
A Amory.

Washington 4th March 1840

To
The Secretary of State of
the Republic of Texas.

Sir.

Same subject— The Legation is deficient in works absolutely necessary in the discharge of its duties— One hundred dollars placed at my disposal— I will procure them, which if you can authorize under any appropriation— In case no such authorization proceed to procure— The Books are Vattel, Martin, U.S. Laws etc, etc.

Respectfully yours
A Amory
Secy of Legation

New Orleans March 6th 1840

New Orleans March 6th 1840

Mr. Saligny to Secy of State concerning sending Envoy to France

Hon. A. S. Sisscomb

Dear Sir

I had a good deal of difficulty in finding here a man who could write both the English & French Languages correctly, and write a good hand. and in consequence, I could not send you the Treaty by the Columbia— but it is the copy of the Treaty, with letters omitted today on board the steamer, and request the Collector of Galveston to despatch you one express without the slightest delay— Be kind enough to have it Signed by the President and yourself and return it to me by the same express— I will send it to my Government as soon as I receive it the President you know, must put his initial letter on every page—

Speaking of Gen. Hamilton

I have not heard yet from Gen. Hamilton I know he is now in Charleston and contemplates leaving there for Europe in a short time, I write him, but could not go to Charleston, as I first intended— I have been unwell ever since I got here, and am now confined in my room by a very severe attack of rheumatism, public opinion here, does not seem, in general, to be very favorable to Texas. which must be accounted for by the jealousy of the Merchants of New Orleans, they begin to be alarmed at your fast progress— But it must be confessed that the probability of an invasion by the Mexicans has had a very injurious effect. Your Currency is now worth almost nothing, 20 cents in the dollar, some has been sold for 18— If I can raise some money here, I'll buy it to the extent of ten or twelve thousand Dollars good money, as a proof of my Confidence in the ability of your Government to redeem it

Very Respectfully Yrs
A. de Saligny

Legation of the U. States
Houston 12th March

Mr LaBranche to Secy of State relative to the claim of Mr Shepherd for the detention

Hon A. S. Sisscomb
Secy of State

Sir

Center, and received from him the assurance, that a Special Court of Admiralty would be held immediately after the adjournment of the Supreme Court, to decide upon the matter.— I have the honor your attention to the subject which is one of peculiar hardship, and to enclose to you a copy of another letter received to me by Capt Shephard.— Will you be pleased to enquire into the cause of this delay, and to provide against further procrastination, so as to relieve the Gentlemen from a detention which is detrimental to their interest.—

I avail myself of this occasion of assuring you of my distinguished Consideration and esteem

Henry La Branche

See file for copy of a letter from Capt Shephard to Mr La Branche

Legation of the U. States
Washington 3rd of Sept 1840

Mr La Branche to Secy of State making known the acceptance of his Resignation by the Govt & his withdrawal from the Mission

Hon'ble J. S. Legaré
Sir

The President of the United States having been pleased to accept my resignation as Charge d'Affaires near the Government of this Republic, I have the honor to inform you that my mission terminates, and that arrangements will be made to provide a successor, as soon as may be practicable.— I regret exceedingly that the great distance between us will deprive me of the pleasure of becoming personally acquainted with you, and of seeing the President, and the other members of the Government before my departure, I beg you Sir, to express to his Excellency how sensible I am for the kind dispositions he has been manifested towards me, and to convey to him my grateful acknowledgments, with the esteem and consideration I entertain for him.

Please accept, Sir, the assurances of the perfect esteem and respect, with which I have the honor to be

your most obedient Servant—
Henry La Branche

Legation of Texas.
Washington 3rd Sept. 1840

Mr. Bee to Mr Forsyth forwarding Proclamation of the President of Texas enjoining neutrality on the citizens of that country relative to the invasion of Mexico and giving other information taken thereto

Copy.

To Hon John Forsyth
Secy of State of the U. States

The undersigned Charge d'Affaires of the Republic of Texas has the honor by the direction of his Government to present to the Secretary of State of the United States herewith enclosed the copy of a Proclamation by the President of the Republic of Texas, enjoining neutrality on the Citizens of that Country in regard to the civil dissensions at present existing in Mexico, and further to inform the Secretary of State of the United States, that with a view to the more certain and general promulgation of this Proclamation, Col Johnson with an escort of eighteen men, was dispatched to the head quarters of the Federal Army where it had been ascertained some of the citizens of Texas had assembled themselves misguided and imprudent zeal, to operate against what they supposed to be the common enemy, a delusion which it was thought this Proclamation would dispel, and the policy of the President remain uncompromised.— It appears from the most authentic information, that Col Johnson had executed the object of his mission and left Comargo about the 15th December last, and after crossing the Rio Grande on his way home was

intercepted on the whole party but to death, with circumstances of peculiar cruelty; and thus the effort to maintain the good faith and moderation of Texas has been attended with the sacrifice of the blood of some of her most worthy citizens. — The well known friendly disposition of the Government of the United States towards Texas giving rise doubtless to a desire on the part of this former to see the relations between Texas and Mexico, established upon a friendly footing, leads the Undersigned to hope that should any opportunity offer of impressing upon Mexico the importance of such a result, the Government of the United States, will not fail to use its influence in behalf of Texas to that end — and avail itself of the information now presented for that purpose, doubtless the Mexican Government on learning that such an outrage has been committed, will be ready to make every amends; and thereby to manifest her desire by denying all participation in so base an act

The Undersigned offers to the Secretary of State of the United States assurances &c

A. G. Bee

Navy Department
7th Dec. 1840

Mr. Cooke to the Secretary of State
to Secy of State
transmitting the Communication between Com. Commodore Moore of our Service, and Commodore Renshaw of the United States Service, Moore & Mr James Buchanan Her Britannic Majesty's Consul at New York, Mr B. F. Butler late Att. Gen. Renshaw Retired Attorney at New York, and the Hon. Richard G. Dunlap our Minister at Washington City

Sir

I herewith transmit to your Department the communications between Com. Commodore Moore of our service, and Commodore Renshaw of the United States Service, Mr James Buchanan Her Britannic Majesty's Consul at New York, Mr B. F. Butler late Att. Gen. Retired Attorney at New York, and the Hon. Richard G. Dunlap our Minister at Washington City

Your obedient Servant
Louis. M. Cooke
Secy of Navy

See file for correspondence between Com. Moore and others

Copy

Legation of Texas
Washington 15th Dec. 1840

Mr. Dunlap to Mr. Forsyth

The Undersigned, Minister Plenipotentiary and Envoy Extraordinary of the Republic of Texas, being advised by the Secretary of State of the United States, that the subject of the Indian relations between the two countries has been referred to the War Department, begs leave to submit a few enquiries to the Secretary of War relative thereto.

Submitting enquiries relative to Indian Relations between the U S and Texas

The promptness and fidelity with which the Government of the U States has always met the question, in how Texas has been threatened with incursions from Indians of the Frontier, leaves the Undersigned no room to doubt, that the Secretary of War will fully answer these enquiries, so that nothing equivocal may seem to exist in the understanding between the two Governments upon a subject so delicate and important.—

1st Have not Indians Migrating to Texas, without the consent of either Mexico or Texas since the Treaty of 1831 between the United States and Mexico, been suffered to do so by the United States in direct contravention of the terms and spirit of said Treaty and is not the United States bound to recall the Indians who have thus migrated and provide them with a home in the United States? Should the Republic hereafter find the Undertaking to difficult to expel from her territory of the United States who have or may hereafter make incursions on settlements the Republic of Texas will not the Government of the United States, upon of the Government of Texas call on their expulsion? The capricious character of these savages, and their contiguity to Texas is probable that an

State

case, in the event of Texas asking aid of the United States, would it not be granted?

The undersigned avails himself of this occasion to offer to the Secretary of War of the U. States, assurances of his high consideration.

R. G. Dunlap.

Hon. Joel R. Poinsett
Sec of War

Legation of Texas
Washington 1st May 1840

Hon. A. S. Spotswood

Sir

I despatch under date of 31st March last has been received, enclosing duplicate draft for $5000 Amount of my outfit and half years salary, on the which is the acknowledgement of the receipt of a communication from my predecessor Genl Dunlap on the subject of Commodore Moore arrest, with accompanying copies of a correspondence between himself and Mr Forsyth including evidence submitted by the former, which he viewed as sufficient grounds on the opinions of the United States Government, for that arrest; and for the threat conveyed by the note of Mr Forsyth in the following words (viz)

"If any new and well founded complaints of a similar character are made against any Texian officer in the service of your Government, the President will deem it his duty to exclude the vessels of war to which they belong from the waters of the United States." It appears the steps pursued in this case by the United States has been regarded by the Government of Texas as harsh, premature and entirely unwarranted by the facts set forth in the papers thus submitted — and more especially as the declaration of Comr Moore himself serves to show that the alleged cause of complaint by the United States is without foundation — Concerning as I do an opinion with my Government that the U States has acted precipitately in the matter, yet as letters which had been forwarded of a later despatch from Genl Dunlap to Mr Forsyth and the latters reply of the 3rd Feby had not been received when the communication to which I am now replying was written and as Mr Forsyth in his last note above alluded to holds the following language as it is understood, however, that he (Comr Moore) has of his own accord left the waters of the United States, with the vessel under his command — he has thereby relieved this Government from the necessity of doing more than giving the Texan Government in the documents herewith and heretofore communicated through its Legation at Washington every and of comparing his declaration with the information laid before the Government of the U. States" I have come to the conclusion that it is better not to receive the correspondence, as doubtless no new and well founded complaints can arise" to justify the U States in enforcing the threat to exclude Texan Vessels of war from the waters of the U States — I conclusion I trust that on receipt of the further correspondence herein alluded to, the Govt of Texas will deem just In answer to that portion of the despatch relative to the utility of impressing upon the Government of the U States her obligation of restraining her Indians from committing depredations upon Texas — I beg leave to submit a copy of Genl Dunlaps note to the Secretary of war of the United States, to which a reply had been promised but not yet given — Accompanying my communication of 31st ult I now the copy of a letter from a confidential agent in any employment Mexico containing information as to the intentions of Mexico in regard to Texas — I now submit Copies of previous letter from the same source which could not be got in readiness to send on the former occasion — And which I beg leave to request may be preserved with the copy previously communicated, in the Secret Archives of the State Department — I also submit a copy of a communication to the Secretary of State of the United States relative to Col Johnson — a representation to Mr Forsyth on the same subject — has gone forward to be opened in [illegible]

Mr Bee to Secy of State acknowledging receipt of draft

concerning the Court of Love and his Conduct — Mr Forsyths Note relating to the same subject

concerning the from Agent Mexico

absence.
by Mr Ellis United States Minister

Mr Bee
to
Secy of State
Mr formal
Recognition
Commissioners
appointed by
the Govt of
the U S

Concerning
the Proclamation
of the President
and Murder of
Col Johnson

Relative to
Indian
Relations

Relative to
the Texian
Boundary

Concerning
Gen Henderson

Relative to
Gen Hunt

Relative to
Mr Hemphill

Relative to
Mr Hemphill

Relative to
Mr Hemphill

Mr Forsyth Secy of State communicating information that application for Passports will hereafter be required

Sir

I am instructed by the President to inform you that from and after the 4th day of March next, no person will be permitted to leave the United States without a Passport, signed by the Secretary of State, or by the Chief Clerk in the Department of State, and countersigned by the Collector of the District in which the applicant resides. Should you desire to visit Europe during the present year, you will therefore be pleased to make application for a Passport in time to enable the Department of State to comply with your request.

I have the honor to be, Sir, your obedient servant

John Forsyth

Department of State
Washington 2nd June 1836

Mr Forsyth & Mr Bee

Copy

The Undersigned, Secretary of State of the United States, has the honor to acknowledge the receipt of the Note of Mr Bee, Chargé d'Affaires of Texas, of the 31st ult. and to assure the Chargé d'Affaires of Texas that the President will be pleased to receive from Mr Bee the credentials which he proposes to present, as Chargé d'Affaires of Texas near the Government of the United States.

The Undersigned avails himself of this occasion to renew to Mr Bee the assurances of his great consideration.

John Forsyth

Mr Bee
Chargé d'Affaires

Secretary of State
Washington 2nd June 1836

Mr Amory Secy of State

Copy

In the absence of Mr Bee Chargé d'Affaires of Texas, I have the honor to acknowledge the receipt of your note of the 31st ult. addressed to him, and to inform you that I am instructed by the President to receive from Mr Bee the credentials which he proposes to present as Chargé d'Affaires of Texas near the Government of the United States.

The Undersigned avails himself of this occasion to renew to Mr Bee the assurances of his great consideration.

John Forsyth

Mr Bee
Chargé d'Affaires

Secretary of State
Washington 2nd June 1836

Mr Amory Secy of State

Copy

In the absence of Mr Bee Chargé d'Affaires of Texas, I have the honor to acknowledge the receipt of your note of the 25th ult. In the communication of Mr Bee whose credentials you have transmitted to me, I regret to find that certain steps have been made the bearer to the Mexican Government, of which (not authorized by) enquiries upon the subject of Texas Mexican Diplomatic intercourse, and declaring on the part of your Government, that the recognition of the Independence of Texas, would be considered by the United States as a cause of war against Mexico, and requiring the withdrawal of the Mexican Minister from the United States, in the event of the recognition of the United States between Mexico and Texas, the establishment of commercial relations.

Mr Forsyth in a note to Genl Almonte dated 17th Augt 1836 says "You will perceive that no menace was intended or could be offered or submitted by Mexico."

The determination arrived at in that respect by the course recommended by Mr Forsyth in his note to Mr Bee of the 25th ult. communicated, coupled with a knowledge of such determination on the part of the United States, relating against making the withdrawal of Mr Bee's credentials the ground for the assumption of an offensive attitude by Mexico, of course circumstances thereby in the opinion of the U. S. Govt in asserting the said demands.

Very Respectfully
Your obt. Servt
Alex. H. Sevier
Secy of State

Mr Forsyth Secy of State

Enclosing the Translation of Mr Bee's Letter of Credence

Mr Forsyth Secy of State

Enclosing the Translation of Mr Bee's Letter of Credence

Mr Amory Secy of State

Covering the Answer of Genl Johnson

Mr Forsyth Secy of State

Enclosing Copy of Mr Bee's Letter of Credence

Mr Forsyth Secy of State

Enclosing Copy of Mr Bee's Letter of Credence

Mr Amory Secy of State

Enclosing Copy of Mr Bee's Letter of Credence

Mr Forsyth

Washington 5th May

To the Honorable
Secretary of State

Mr. Murray
to
Secy of State

Sir

I enclose the accounts of Received & Expended at Texas, transmitting to the Mississippi Congress of the U. States, are necessary upon the condition of Texas, from the receiving of these inspiring statements being in possession of the Seat of Texas, and I think they may be useful for reference in the Committee general, and particularly in regard to the Boundary question between Texas & the U. States regarding of Texas which regulations remarks page 15... Mr. Morfit in stating here unusual, unlike, and, as long as Mr. Morfit proved to Texas, I proved also in the memorial of a Federal proclamation. Mr. Morfit in the Boundary to be made with Texas, as stated by Congress the Federal Texas & the U. States engaged in making claims from the Spanish Government, as in the Boundary Texas, as stated by Congress the Federal Texas & the U. States engaged in making claims from the Spanish Government, as in the Boundary

I have the honor to be Sir
Your most obt Servt
J. Green

Secretary of Texas
Washington 25th May 1840

Mr Murray
Secy of State

Sir

I have just received from the Texian Legation a note enclosing a statistical account concerning the State of Texas. I have submitted to the Secretary of State for information.

I the undersigned Secretary of the Texian Legation at the above date respectfully request the Secretary of State to be pleased to cause the enclosed statistical account concerning the State of Texas to be submitted to the Secretary of State for information.

Wanted Legation Texas at Washington at the above date respectfully request the Secretary of State to be pleased to cause the enclosed statistical account concerning the State of Texas to be submitted to the Secretary of State for information.

I have the honor to be
your obt Servt
Sathl. Jones
Sec of Legation

Washington June 3rd 1840

Mr Hamilton
Secy of State

Sir

I have just received from Texas, having been detained in Texas, Several days at Natchez, bringing dates from Texas to the 1st May, the enemy from Texas to the 1st May, the enemy from Texas to the 1st May, the enemy

for as much as it may be worth. I doubt it, but it would be as well for you to be on your guard." A communication has been made to me this morning which I think you will deem of sufficient importance to give immediate notice of it (by the Great Western) to the Texan Government. A Mr Grimes a gentleman of high standing, and from his situation, possessed of ample means for obtaining information, declared to me the fact which he says he has from the best authority, that Agents of the Mexican Government have chartered one or more Steam Vessels in this Country for the purpose of transporting troops from Vera Cruz or Matamoras, to make a sudden descent on the Texan coast with the intention of surprizing any vessels of war that may be in Port, and of attacking while unprepared any vulnerable point on the sea coast, he says the Steamer Argyle of Glasgow of 165 tons, Williams Master sailed on the 22nd July last for Cadiz, thence bound to Vera Cruz or Matamoras the first vessel they had chartered, and by the last accounts from thence she was about proceeding on her voyage. I have advised Mr Grimes to make this communication direct to you which he has promised he will by the mail of to day— his standing entitles him to consideration— Our address is London to the care of Messrs Palmers Mc Killop & Mc Intosh

I remain dear with great esteem very
Respectfully your obt. Servant
Stillman Conl. T.L

Mexico making preparations by chartering Steamers for the purpose of transporting troops & Commencing hostilities immediately against Texas

Galveston June 21st 1840

Hon A S Livingston
Secy of State

Sir

I have the honor to inform you of my arrival in this City, and would be pleased to learn at what time and place, it would suit your convenience to receive my letter of credence as Chargé d'Affaires of the U States to your Republic.

Mr Flood to Secy of State announcing his arrival in the Republic

I have the honor to be
very Respectfully your obt Servt
Geo H Flood

Legation of the U States
Galveston June 22nd 1840

Hon A S Livingston
Secy of State

Sir

I have the honor herewith to enclose you the Commission giving information of Charles L Wallach, Esq. appointed Consul of the United States for Matagorda
of the appointment of Mr Wallach as Consul—

Mr Flood to Secy of State

Your will be pleased to return it to me, with the usual Exequatur, at such time as may suit your Convenience.

With sentiments of the highest regards
I have the Honor to be
Very Respectfully
Your obt Servt
Geo H Flood

Note. The following Should have been Recorded on Page 246, and following a Letter from J Pinkney Henderson under date of Octr 16th 1839.

Note. For Proclamation and Ratification see Copy of Documents under the Great Seal Page (54)

Treaty with France

The President of the Republic of Texas and His Majesty the King of the French, desiring to regulate, in a permanent manner, the political and commercial relations between Texas and France, have resolved to conclude a treaty of amity, Navigation and Commerce, founded on the common interests of the two Countries, and which shall establish the formal recognition on the part of France, of the Independence of the Republic of Texas; and to this effect have named for their plenipotentiaries, that is to say: The President of Texas, General James Pinkney Henderson, a citizen of the said Republic, and His Majesty the King of the French, Jean de Dieu Soult, Duke of Dalmatia, Marshall and Peer of France, Grand Cross of his royal Order of the Legion of honor, &c &c &c his Minister and Secretary of State for the Department of Foreign affairs President of his Council of Ministers. And the aforesaid plenipotentiaries after having compared and exchanged their several powers found to be in due form, have agreed upon the following Articles.

Article 1st There shall be perpetual peace and amity between His Majesty the King of the French his heirs and successors, on one part, and the Republic of Texas, on the other part, and between the Citizens of the two States, without exception of persons or Countries.

Art. 2nd The French and Texans, shall enjoy, in their persons and property, in the entire extent of their respective territories, the same rights, privileges and exemptions, which which are or may be granted to the more favored nation, they shall have the right of disposing freely of their property by sale, exchange, by deed of gift, Will, or in any other manner, without any impediment or difficulty. In like manner, the Citizens of each, inheriting property in either of the States, may become heirs, without any hindrance, to such property which may devolve to them ab intestat, and without being held to pay any other or higher tax on the succession than that which shall be paid in similar Cases by the Citizens of the Country themselves. They shall be exempted from all Military Service, from all War Contributions, forced Loans, Military requisitions, and in every other case, their persons or real estate shall not be subject to any other Charge or impost than that which shall be paid by the Citizens of the Country themselves.

Art: 3rd If it should happen that one of the two Contracting Parties be at War with any other Nation whatsoever, the other Party shall prohibit their Citizens from Taking or holding Commissions or Letters of Marque to Cruize against the other, or to molest the Commerce or property of the Citizens.

Art: 4th The two Contracting Parties adopt in the Mutual relations the principle: "that the flag Covers the goods." If one of the two Parties remain Neuter when the other may be at War with a third power, the goods Covered by the Neutral flag shall also be considered to be neutral, even if they should belong to the enemies of the other Contracting Party. It is equally understood that Neutrality of flag protects also the freedom of persons, and that the individuals belonging to a hostile power who may be found on board a neutral Vessel, shall not be made prisioners, unless they are actually engaged in the service of the enemy. In consequence of the principle that the Merchandize is to be considered as belonging to the Nation under the flag of which it sails, Merchandize only found on board an enemy's Vessel, shall be considered as enemy's, unless they shall have been shipped [illegible] before the declaration of War, or before the knowledge thereof could have been had.

have departed. The two Contracting Parties will not apply this principle, as it may concern other powers, except in the case of those by whom it may be recognized.——

Art: 5th In case one of the two Contracting Parties should be at War with an other Power, and her Ships at sea should be compelled to exercise the right of Search, it is agreed that if they meet a Vessel belonging to the other, then Neutral, Party, they shall send their Boat on board said Vessel, with Two persons charged to enter on an examination of the Nationality and Cargo of said Vessel. The Commanders shall be responsible for all vexations, acts of violence which they either commit or tolerate on such occasion.—— The search shall not be permitted but on board Vessels which Navigate without Convoy; it will be sufficient when they are convoyed, that the Commander of the Convoy declare verbally, and on his word of honor, that the Vessels placed under his protection and under his Convoy, belong to the State under which flag he Sails, and that he declares, when the Vessel shall be destined to an enemy's Port, that they have no goods on board, Contraband of War.——

Art: 6th In case one of the two Countries should be at war with a third power, the citizens of the other Country shall have aright to Continue their Commerce and their navigation with the same power, with the exception of the Towns or Ports before which there shall be established an actual and effective blockade.—— It is fully understood that this liberty of Commerce and of Navigation, shall not extend to Articles reputed Contraband of War, such as cannon and fire Arms, swords, pikes, projectiles, powder, Salt-petre, objects of Military equipment and all instruments whatever manufactured for the purposes of War.—— In no case a trading Vessel belonging to Citizens of either of the Two Countries, which shall have sailed for a Port blockaded by the other State, shall be seized Captured or Condemned, unless the Commander has previously been notified of the existence of the blockade, by some Vessel making a part of the Squadron or division forming the blockade; and in order that no Vessel may alledge ignorance of the facts, and really be liable to Capture on her reappearance before the said Port whilst the blockade is enforced, the Commander of the Ships of War who shall first meet her, must endorse on her papers his Visa, indicating the date, the place or latitude and longitude where he has visited the Vessel and given the notification in question, which shall Contain, besides all the other indications required for the visa.——

Art: 7th. The Vessel of one of the Two Countries, forced into one of the Ports of the other by distress, shall be exempt from all duties, either upon the Ships or cargo, if they enter into no Commercial operations, provided that the Necessity of entering such a port is legally established, and that they do not remain in the Port longer than the necessity of the case requires.——

Art. 8th. The two Contracting Parties shall have the right to appoint Consuls, Vice Consuls, and Consular Agents, in all the Cities or Ports open to the foreign Commerce; these Agents shall not enter on their functions until they shall have obtained the authorization of the Government of the Country.——

Art. 9th The respective Consuls Vice Consuls, Consular Agents and their Chancellors shall enjoy in the two Countries the privileges which generally belong to their functions, such as exemption from having Soldiers quartered upon them, from all direct Contributions as well personal as movable or sumptuary, unless however they are Citizens of the Country, or that they become proprietors or holders of real estate, or are engaged in Commercial business, in either of which cases they shall be subject to the same Taxes and Charges as other individuals. These Agents shall enjoy, besides, all the other privileges, exemptions and immunities which shall be granted in their places of residence to the Agents of the same rank the most favored Natio

Art: 10th. The Archives and in general all the papers of the offices of the respective Consulates shall be inviolable; and under no pretext, nor in any case, shall they either be seized or searched by the local authorities.

Art: 11th. The respective Consuls, Vice Consuls and Consular agents shall have the right, on the death of their fellow Citizens who shall have dies without having made a will or nominated testamentary executors, to execute either by Virtue of their office, or at the request of the parties interested (taking care to give previous Notice to the Competent local authorities) all the formalities Necessary for the Security of the heirs; to take possession in their name of the Successions and to liquidate and administer the same either personally, or by Substitutes named under their responsibility.

Art: 12th The respective Consuls, Vice Consuls and Consular agents shall be charged exclusively with the internal police of the Commercial Vessels of their Nation, and the local authorities shall not interfere except in cases of riot or disturbance of a Nature Calculated to affect the public peace, either on Shore or on board other Vessels.

Art: 13th The respective Consuls, Vice Consuls and Consular Agents shall have the right to arrest all Sailors who shall have desited from Vessels of War or Merchant Vessels belonging to their respective Countries, and may send them on board or to their own Country. To this effect they will address themselves in writing to the Competent local authorities and will justify by the exhibition of the Ships Register or roll of the Crew, or if the said Ship should have sailed, by a Copy of the said documents duly Certified by them, that the men whom they claim were a part of the same Crew, on this demand thus justified, the delivery shall not be refused to them. Besides every aid and assistance shall be given to them, in seeking out seizing and arresting the said deserters, who shall even be detained, and kept in the prisons of the Country, on the requisition and at the expense of the Consuls, until these agents shall have found an opportunity to send them away. If, however, this opportunity should not present itself in the Space of four Months Counting from the day of their arrest, the deserters shall be set at liberty and Cannot again be arrested for the same Cause.

Art: 14th: French Vessels arriving in or sailing out of the Ports of Texas, and Texian Vessels on their entry in, or leaving the Ports of France, shall not be subject to other or higher duties of Tonnage, of light money, Port Charges, Pilotage, quarantine, or any other affecting the body of the Vessel, than those which are paid, or shall be paid by the Vessels of the Country itself.

Art: 15th The products of the soil and of the industry of either of the two Countries imported directly into the Ports of the other, the origin of which shall be duly ascertained, shall pay the same duties, whether, imported in French or Texian Vessels,—In like manner the products exported will pay the same duties, and will enjoy the same privileges, allocations and drawbacks which are or shall be allowed on the exportation of the same Articles, in the Vessels of the Country from which they are exported.

Art: 16th: The Cottons of Texas, without distinction of quality, will pay on their entry into the Ports of France, when they shall be imported directly in French or Texian Vessels, a uniform duty of Twenty francs on One hundred Kilogrammes. ——— All reductions of duties which may hereafter be in favor of the Cottons of the United States shall be equally applied to those of Texas, gratuitously should the Concession be gratuitous, or with the same Compensation, if the Concession is Conditional.

Art: 17th. From the [illegible] each

Texas, the duties at present levied in Texas on all fabrickes and other articles of silk or of which silk shall be a chief Component part, imported directly into Texas, the Manufacture of France, in French or Texian Vessels shall be reduced one half.— It is clearly understood that if the Texian Government reduce the duties upon similar products of other Nations to a rate inferior to one half of the duties now existing, France cannot be obliged, in any case, to pay higher duties than those paid by the most favored Nation.— The duties at present levied in Texas, on the Wines and Brandies of France, also imported directly in French or Texian Vessels shall be reduced, the first two fifths and the second one fifth.— It is understood that in case the Republic of Texas should hereafter think proper to diminish the present duties on Wines and Brandies, the productions of other Countries, a corresponding reduction shall be made on the Wines and Brandies of France, gratuitously if the Concession is gratuitous, or with the same compensation if the Concession is Conditional.

Art: 18th The inhabitants of the French Colonies, their property and Ships shall enjoy in Texas, and reciprocally the Citizens of Texas, their property and Ships shall enjoy in the French Colonies all the advantages which are or shall be granted to the most favored Nations.

Art 19th The stipulations of the present Treaty, shall be perpetual, with the exception of the Articles the fourteenth, fifteenth, sixteenth, seventeenth, and eighteenth, the duration of which is fixed to eight years, counting from the day of the exchange of the Ratifications.

Art; 20th. The present Treaty shall be ratified by the Contracting Parties, and the ratifications Shall[ed] be exchanged at Paris or Austin, within the Period of eight months, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have Signed the present treaty, and have affixed thereto their Seals.— Done at Paris, the twenty fifth day of September, in the year of our Lord one thousand eight hundred and thirty Nine

L S

L S

I Pinkney Henderson

Additional Articles.

As the laws of France require as conditions of the nationality of a Vessel. that it should have been built in France: that the owner the Captain and three fourths of the Crew shall be citizens of France; and Texas, by reason of the particular circumstances in which she is placed, being unable to Comply with the same conditions, the two Contracting Parties have agreed to Consider as Texian Vessels, those which shall be the bona fide the exclusive and real property of a Citizen or Citizens of Texas, residents of the Country for at least two years, and of which the Captain and two thirds of the crew shall also, be bona fide citizens of Texas.

Art: 2. It is understood that if the Republic of Texas thinks proper hereafter to diminish the duties now in force on Silk goods, they will maintain between the Silk goods, the produce of Countries beyond the Cape of Good Hope and similar goods, of other Countries, a difference of Ten per cent in favor of the latter.

Art: 3. The present additional Articles shall have the same force for eight years, as if they had been word for word inserted in the Treaty of this day. The shall be equally ratified by the Contracting Parties, and the Ratifications exchanged at the same time as those of the Treaty.

Done at Paris, the twenty fifth day of September in the year of our Lord one thousand eight hundred and Thirty Nine.

Pinkney Henderson

Mexico April 29th 1840

Mr Secretary of State

Sir

I have the honor to hand H. E, herewith a Letter, just received from relating Richard Pakenham Esquire, H. B. Majesty's Minister, at Mexico accompanied to the claim by two documents; one, an Extract from Genl Henderson's dispatch, to Lord Palmerston, in relation to a claim, on the Government of Texas, arising out of the case of the Vessel of Capt "Eliza Rufell", and, the other, a Statement of losses, sustained by Messrs F. de Lizardi Lizardi & Co., from the Capture of goods, a part of the Cargo of the "Little Pearl", for the capture of which papers, I beg leave to refer H. E, as they will sufficiently explain the object of the request of Mr Pakenham, and the wishes of his Government. I have also, the honor to send Eliza Rufell you, a copy of my reply to Mr Pakenham, which I hope, will meet with the & Little Pearl approbation of H. E, under the Circumstances of the case. These claims it appears, have been discussed, by the Agent of Texas, Genl J. P. Henderson, and Lord Palmerston; and the Correspondence, in H. E.'s Department, will show, whether, the Government, is committed, to pay one of said Claims, without further investigation, and also, whether a pledge has been given, to examine the other, and, if found valid & legal, a promise was made, of restitution. The documents referred to, in my reply to Mr Pakenham's letter, No: 17 to 24, both inclusive will doubtless be presented, by some Agent of the Claimants, as now we perceive by Mr Pakenham's letter, to me, he sends them to New Orleans, where, the parties, it is presumed, will further prosecute, the claim in question. Of the legality, and justice, of said Claims, nothing will be expected from me; but, at the same time, I beg leave to remark to H. E, that, I have thought it my duty, under the peculiar Circumstances of my position here; the particular services rendered me, by Mr Pakenham, in the objects of my Mission; and the obvious Policy (as I humbly conceive) of maintaining, at the present time, a good understanding with the Government of Great Britain; to receive, and forward, to H. E, these papers; and also, to reply to Mr P.'s letter, in terms, which, I thought would be satisfactory to him, and to his Government, as he transmits copies of our Correspondence, by the Packet, to sail, from Vera Cruz, on the 2nd prox.

The above reasons, must be my Apology, Sir, for interfering, or intervening in a matter, purely diplomatic in its Character, and, having no authority to act in the case, in any way, I might have excused myself, to Mr Pakenham, and referred him, directly, to the Government. I did not, however, deem it course, in accordance with the interest of Texas, and hence, have disposed of the matter, as herein stated, which, I hope will be approved by H. E. the President of the Republic, to whom I have addressed a Letter, on the subject, and to which H. E. is most re

to H. E. that any answer, to Mr Pakenham, may be addressed to him direct, As I may not then be in Mexico.

I have the honor to be, with great respect, and Consideration; Your most Obedient Servant.

James Treat

To
The Hon. Abner S. Lipscomb,
Secretary of State
Republic of Texas
City of Austin

Mr. Treat to President Concerning the Claims of the Little Penn & Eliza Russel

(Private)

Mexico April 29th 1840

Sir

Under this date, I have addressed the Hon Secretary of State, an official Letter, enclosing him four documents, all emanating from, and relating to, Claims on your Government, by that of Great Britain, presented through Mr Pakenham, and relating to the Cases of the Eliza Rufell, and Little Penn. Mr Pakenhams letter to me, will shew you his views and those of his Government; my reply, will inform you, what Course I have adopted; and my letter to the Department of State, will explain to you, the reasons, for my thus acting, in the premises; and I therefore, beg leave respectfully, to refer you to said papers. If Compatible with your sense of Justice, to satisfy the Claim of the Eliza Rufell, and, also, that, of the Little Penn (if on investigation it should be found a valid one) I am sure it would subserve the interest of Texas, by thus increasing the good feelings, which I presume to exist, towards the Republic, on the part of England, whose Minister here, has certainly rendered your Country many good offices, as you are already aware. A prompt reply to Mr Pakenham direct, in relation to these matters, with such assurances, as may grow out of the evidence and Correspondence, already in the position of your Government, would, undoubtedly, produce a good effect here, and a copy of the same, or a similar Communication to Genl Hamilton, for the information and satisfaction of Lord Palmerston, would of course, produced a similar effect, on his mind, until, you was prepared to pay the amounts, if not so disposed at present. Pardon, my Dear Sir, these remarks (quite gratuitous, in the present case, I am sure) as they arise from a conviction of the Policy of a course, which, will satisfy the expectations, of the British Ministry. I have stated in my official Letter, that I has addressed you, on this subject.

In great haste, I am, very truly, and with great respect, Your Obedient Servant

James Treat

(290)

To
Genl M. D. Lamar
Austin Texas

Sir

Mexico 26th of April 1840

I have received instructions from her Majesty's Government, to bring once more under the Notice of the Authorities of Texas the claims of certain British Subjects arising out of the irregular acts of Vessels in the Service of Texas, which claims Palenham to Mr Treat Relating to had already formed the subject of a Correspondence between Her Majesty's Principal the Claims Secretary of State for foreign affairs, and General Pinkney Henderson, in the years of J. Russell 1837, 1838, and 1839.— The demands of Her Majesty's Government upon the and Messrs Texian authorities arising out of these transactions are. First, a demand of £865 Sanguisuc 4d. for Mr Joseph Russell, on account of losses sustained by him in Consequence for the capture, the Seizure, and detention of the "Vessel Eliza Rufsell;" and, Secondly, a Russe d demand of £1636. 14. 2 for Messrs Luyardi &c., on account of the losses sustained by them by the Seizure of part of the Cargo of the "Little Penne". Little Penn With respect to the case of the "Eliza Russell" Her Majesty's Government are justified in hoping that no further delay will take place on the part of Texas in satisfying a Claim, the justice of which, so far from being called in question, has been expressly and voluntarily admitted by the authorities of Texas, with a promise that arrangements would be made without loss of time for its satisfaction.— From the enclosed Extract of a letter from General Pinkney Henderson to Viscount Palmerston, dated 31st October 1839, it will be seen that the highest authority in Texas had determined that the whole amount claimed by Captain Rufsell should be paid to him, Notwithstanding that the claim had always been and was still considered exorbitant, and that the attention of the Congress of Texas was to have been called to the subject upon its meeting in November last, with entire confidence that they would make an appropriation for the payment of the claim.

It is true that in the same letter General Henderson states that in order to settle the amount justly due in the case in question, it would be necessary for Captain Rufsell to empower some person in Texas, or to proceed thither to settle with such person or persons as might be named on the part of Texas, in order that the Congress might be able to appropriate a specific sum for the payment of Captain Rufsell; but I submit when the highest authority in Texas has expressly promised that the whole amount claimed by Captain Rufsell shall be paid to him.— Notwithstanding the impression that the claim was exorbitant, there seems to be no reason why the case should undergo further investigation; and I am further authorized to declare that, as well in the case of Captain Rufsell as in that of Messrs Luyardi & Co, great pains have been taken to examine into the evidence adduced by the parties interested with respect to the amount of their Claims, which through the interposition of Her Majesty's Government have been reduced to the lowest sum the Parties appear in Justice entitled.— Under these circumstances I think that you will agree with me, that, as relates to the Claim of Captain Rufsell, it only remains for the authorities of Texas to fulfil the pledge given by General Henderson, in their name, to Her Majesty's Government, by obtaining from the Congress, if they should not have already obtained it, the necessary appropriation for the payment of that Claim, when the money may be held at the disposal of Captain Rufsell, to be paid to whomsoever he may empower to receive it.— With respect to the claim of Messrs Luyardi & Co. General Henderson has stated to Her Majesty's Government "that if at any time, the claimant in this case, shall produce such positive proof as is usually required in similar cases, to rebut the presumptive evidence upon which the goods were condemned, the Government of Texas will, without hesitation make them full compensation."— With a satisfactory disposition on the part of the authorities of Texas to do justice in this case, I should imagine that there can be but little difficulty in producing sufficient proof to entitle the Parties to the compensation

In the first [illegible] the

was condemned must, I should presume, furnish complete evidence of the circumstances under which the capture was effected, as the case has been represented to Her Majesty's Government, the Mexican Schooner "Abispa" with a cargo of goods saved from the wreck of the British Schooner "Little Penn", was captured by the Texan Cruizers, "Brutus and Invincible", when about to leave the wreck of the "Little Penn". — This Statement of the case is corroborated by the protest of the Captain of the "Little Penn", before the authorities of Campeche, which, with other documents relative to the occurrence, I beg leave to enclose for your perusal. ——— These documents, I submit, furnish all the proof which can reasonably be expected in such a case, of the entire justness of the claim of Messrs Sigandi &c., and, I should hope, will be found sufficient to satisfy the Texian authorities. ——— The accompanying account shews the value of the Cargo, originally Shipped on board the "Little Penn", deducting from this the proceeds of that part of the Cargo which was saved, and sold at Campeche, and making an allowance of twenty per cent for estimated sea damages to the remainder, which was either carried off on board the "Abispa" or prevented from being saved from the wreck, by the forcible interference of the Texian Cruizers, the balance Her Majesty's Government to be unquestionably due to the Claimants by the authorities of Texas. ——— In order to expedite the conclusion of this affair, I propose to advise the House of Sigandi & Co. of New Orleans, which I believe to be a branch of the London House, to appoint a proper person in Texas to follow up the matter with the public authorities, and to afford any further explanation which may be required respecting the transaction on which the Claim is founded.

I was under the supposition that I was in correspondence upon these Matters with General Hamilton who was lately employed on a diplomatic Mission to Europe, that Her Majesty's Government instructed me to Communicate with General Hamilton respecting the Claims, to which this letter relates, and to request that he would take the most serious attention of the Texian authorities to the said Claims, and to express the hope of Her Majesty's Government that an immediate adjustment of them may render unnecessary any other appeal on the part of Great Britain. ——— As I understand that General Hamilton has already left New Orleans on his way to Europe, I believe I cannot better fulfil the intentions of Her Majesty's Government, than by requesting you, Sir, to represent in the strongest manner to the authorities of Texas the justice as well as the expediency of proceeding to the immediate settlement of the claims referred to. ——— The desire which you entertain to promote in every way the interest of Texas, and, as relates to England, to see the best understanding prevail between the two Countries, allows me to hope that you will readily Comply with this request, and interest yourself in attaining the object to which it relates. ———

I have the Honor to be, with high Consideration and regard, Sir, Your most Obedient and Humble Servant. ———

R. Pakenham.

To
James Treat Esqr &c: &c

(Copy)
Extract from Genl Henderson
to L. Visct Palmerston

Brunswick Hotel 30th Octr 1839

The undersigned Agent of the Republic of Texas has the Honor to acknowledge the receipt of the Two despatches Communications of the Right Honble Viscount Palmerston, Her Majesty's principal Secretary of State for foreign affairs of the 25th Inst, which only came to his hands on Yesterday upon his return from Paris.

In relation to the first of the Communications the undersigned

Relating to the claims of Russell & Sizardi & for the capture of their vessels

I was the honor to inform Lord Palmerston that he received from his Govern a few days before he left Paris, instructions to assure Her Majesty Government that the President has determined that the whole amount claimed by Captain Russell for the destruction of his Vessel, as set forth in Lord Palmerstons Communication to the undersigned in the year 1838, shall be paid to him by the Texian Government, Notwithstanding they have always, and still consider the claim exorbitant, and with view the President will cause the attention of Congress to be called to the subject upon its meeting in November next, when he doubts not, they will make an appropriation for the payment thereof.—— The undersigned can assure Lord Palmerston that the only reason why the claim of Captain Russell has not been paid is that the President has always regarded it as too large.—— Lord Palmerston will also recollect that the undersigned has more than once heretofore informed him that in order to settle upon the amounts justly due in that case it would be necessary for Captain Russell to empower some person in Texas, or to proceed thither (in the absence of any acknowledged authority of Texas in London to Treat with Her Majesty Government) to settle with such person or persons as might be named by the Government of Texas, that Congress might be able to appropriate a specific sum for the payment of Captain Russell.—

Under these Circumstances Lord Palmerston Cannot be surprised that the promised satisfaction has not been made in this case.——

(Copy)

Statement of claim submitted to Her Statement Majesty Government, by the undersigned on account of the Underwriters and of the Claim Officers interested therein, for Compensation on account of loses sustained by the of Messrs Flounder of the British Schooner "Little Penn" E Pugh Master, when wrecked Zizardi & on the Alacran Shoals, by the Texian armed Vessels "Brutus and Invincible" on or about the 30th June 1837.——

		£	s	d	£	s	d
I.	Value of the goods shipped on board the "Little Penn" E Pugh Master, at Liverpool, by Stebbert according to the original invoice, Marked A. No 1. is	330	5	2			
	" A. No. 2. " " " " " " " " " "	339	19	2	1670	4	4
II	This sum of four thousand six hundred and seventy pounds 4/4, is the actual Net Cost price paid for the goods, Comprising the Cargo, all discounts and allowances deducted. To this sum ten per cent being added for Merchants Commissions Interest on advances & Insurance was effected for the Amount of " " " " " " " "	£	5100	0	0		
	upon which valuation a Settlement has been made with the underwriters, and the Claims for Compensation proved, & Declaration for insurance, in the Document Marked A. 3.——						
III	From the amount thus insured, and for which the underwriters as before mentioned, have settled, is to be deducted, the Nett proceeds of the goods saved from the wreck of the "Little Penn" by the Mexican Schooner, Paz and sold at Campeche, as per annexed document marked D. 1. 2 Amounting to $7.530 " " " " "		1413	5	9		

Remains

£3656.. 14. 3

IV Which sum represents the actual amount of loss sustained by the underwriters.— It is however impossible to ascertain from the account sales the exact discription of the goods saved, so as to form a correct account of those remaining on board the wreck, and the Mexican Schooner "Alcisa", when the Texian armed vessels captured the latter, and plundered the remaining Cargo from the wreck.— In this uncertainty we propose to deduct twenty per cent (as the estimated amount of sea damages) from the above sum of £3656.. 14. 3 say. 731. 6. 10

£2925.. 7. 5

V Which amount we respectfully Claim on behalf of the Underwriters and others interested, together with such interest as Her Majesty's Government may deem suitable, accruing from the 17th August 1837 (date of the sales of the goods saved) when it is reasonable to Conclude, had not the Texian Ships of War interfered, the whole of the Cargo, would have been landed and disposed of.—

London 20th Nov. 1839

(Signed) F. de Lizardi & Co.

Mr Ogilby to Palmerston relative to a claim to a grant of Land in Texas and praying for relief.

(Copy) New Orleans 20th August 1839

Sir

I am informed by my relations in Scotland that the British Government has authorized you to mediate between Mexico and Texas, I therefore beg leave respectfully to inform you I am interested in the result, having a considerable sum of money at stake in a grant of Land made by the Government of the State of Tamaulipas to one Manuel Bango, dated 27th of February 1835, for the Settlement of a colony of 250 foreign families, on the left Bank of the Rio Bravo de Norte, beginning opposite Camargo, and following the bank of the River till opposite Revilla, thence towards the Nueces, until a sufficient quantity of Land should be found to satisfy the claims of all the Settlers, and that of the Empresario for his premium and Mr Bango transfered all his right, title and Interest in the grant to me, and placed me in his stead by Virtue of an irrevocable power of Attorney; and on my return to this place in the month of July 1835, I set to work to organize a plan for peopling the Colony, I opened a Correspondence with my friends in Scotland, and enlisted them in the enterprize, they accordingly collected the requisite number of families and engaged Ships to carry them out, and when nearly ready for embarkation, the enterprize was abandoned in Consequence of intelligence Communicated by me of the existence of the hostilities which broke out on the frontier between Mexico and Texas in the latter part of 1835 and the beginning of 1836, thereby occasioning disappointment to the intending Colonist, and manifest loss to myself and friends.— In the month of December 1836 the Congress of Texas made a declaration defining the boundaries of the Republic, whereby it swept in the land lying between the Rio Grande (or Bravo) and the Nueces, within which the grant above mentioned is situated.

When the next Congress assembled in May 1837, I sent an agent to Texas for the purpose of enquiring into the particulars regarding the position of said grant, and the result was, that the Government of Texas had laid claim to the said tract of land embraced in the grant, and that all empresarios must be governed by the 11th Article of the plan of the provisional Government of Texas

adopted in the month of Nov 1835, by which it is decreed, that all the vacant Lands of Texas are the property of this Republic, and that all Land Commissioners, Empresarios, Surveyors or persons anywise concerned in the location of Lands be ordered forthwith to cease their operations during the agitated and unsettled State of the Country, and Continue to desist from further locations until the Land Office can be properly systematized by the Competent authority which may hereafter be established "&c. By the declaration of rights appended to the Constitution of Texas on the 2nd of March 1836. "It is declared that all the vacant Lands within "the limits of Texas, became the property, or public domain of the Republic". By an act, passed the 19th December 1836, to define the boundaries of the Republic of Texas, it is enacted, "That from and after the passage of this act, the Civil and political jurisdiction of this Republic be, and is hereby declared to extend to the following boundaries, Viz, "Beginning at the Mouth of the Sabine River, a "running west along the Gulf of Mexico Three Leagues from Land, to the mouth "of the Rio Grande, thence up the principal Stream of said River to its source, Thence due North "to the 42nd degree of North latitude, thence along the boundary line as defined in the "Treaty between the United States and Spain, to the beginning "&c." and by a Supplementary act to an act entitled "an act to establish a general Land office for the Republic of Texas, passed 22nd December 1836" Section 5th "Be it further enacted that it is hereby declared that all Empresarios Contracts having ceased "on the day of the Declaration of Independence, all the Vacant Lands of Texas are "the property of this Republic, and subject alone to the disposition of the same" dated 12th June 1837.—— According to the above Cited enactments it appears that I am entirely shut out and prevented from perfecting the terms of the grant on my part, as the representative of the grantee, Manuel Banegas, in so far as regards Texas. But as I am aware that no State can take possession of any part or portion of another State, except by purchase, Cession, or Conquest, and knowing, as I do, that the Government of Texas has performed none of these Ceremonies, Consequently this Republic of Texas has no virtual right to the tract of Land in question as matters stand at present, I have therefore considered it my duty to lay this Statement before you, so that when the period arrives for your mediation between Mexico and Texas, my interest as a British subject, in this Contract may be respected, and the usual protection afforded to all persons existing Contracts in any arrangement that may hereafter take place between the Contending Parties.——— I am ready and at all times willing to fulfil my part of the Contract, and as I am, prevented from performing by the peculiar situation and circumstances of the other Contracting party, the least amount of indemnity to which I am fairly entitled should be the premium land, thirty Sitios and thirty Labors, by virtue of the Contract and the Colonization Law of Tamaulipas of the 17th November 1833, to say nothing of the advantages which would have accrued to me from having the fine Salt Lakes of Tamaulipas within the bounds of the grant. Being already well apprised of your marked attention to all the best interest of Claimants under your parental protection, I shall add no more on this subject.———

I have &c.
(signed) I Ogilvy

Richard Pakenham Esq

Mr Ogilvy to Mr Pakenham relating to the claim of Prot. Grant—& to Col. Grant of Land appointed by the

(Copy)

New Orleans 20th August 1839

Sir

I have been appointed the agent of the heirs, in Scotland, of Doctor James Grant, Deceased, who was a Native of Scotland, was resident at Parras, and Member of the Congress of Coahuila & Texas, and who was killed on the Frontier between Mexico and Texas the 2nd March 1836. Having been informed that you

Texas, I therefore beg leave to represent to you, that the late Doctor Grant was interested, directly, in contracts with the Government of the State of Coahuila and Texas for the purchase of 350 Certificates, calling for a Sitio of Land each, in Vacant tracts of the State, and indirectly, in 150 similar Certificates, I have in my possession the Contract for the first 300 Certificates sold to Dr Grant, and on the back of which there is a receipt for the full payment of the purchase price, and I have reason to believe that all the other purchases were duly paid.—— The hostilities which broke out between Mexico and Texas in 1835 and 1836. prevented the Agents of Dr Grant from getting these Certificates located and the corresponding titles issued to the Land.—— During the year 1836, the Government of the people of Texas took possession of the Country, declaring themselves free and Independent; and they passed Laws prohibiting the locations of any Claims for Land, existing under previous Contracts with the General as well as the State Government of the Mexican Republic.— Consequently the heirs of the late Dr Grant and other Virtual Claimants on these 300 Certificates, are left with 30.000 Dollars worth of them in their hands, and without any remedy in the present State of the political affairs of Texas.—— The Object of addressing you on this subject is to be in time, and to enjoy the benefits of your official interposition, in the event of a Speedy Settlement of the difficulties existing between Mexico and Texas.—— I find the affairs of the deceased involved in almost inextricable difficulties; and, unless we succeed in making good these Contracts, there will not be sufficient to Satisfy the just Claims on the Estate, far less to relieve the pressing necessities of his numerous Children.— For their sakes, I do hope and trust that we may succeed through your Valuable instrumentality.—— I have opened a Correspondence with a person at Monclova, with a view of ascertaining the position of the late Dr Grant's affairs at Parras, and should there exist any hope of recovering any thing in that quarter for the benefit of the heirs, I may be induced to make a journey thither, and in that case I shall require a Carta de Seguridad which will Compel me to trespass on your goodness in obtaining one for me, of which I shall hereafter advise.——

I have &c.

Richard Pakenham &c &c } (Signed) Dd Ogilby—.

Mr Treat to Mr Pakenham Relating to the Claims of the Eliza Russell & Little Penn—

(Copy) Mexico April 28th 1840

Sir

I have the honor to acknowledge the receipt of your Communication of the 26th Inst. in relation to the claims, preferred, by Her Majesty's Government, against the Government of Texas, arising from the capture, and detention, of the English Schooner "Eliza Russell", and, the capture and Condemnation, of sundry Goods, being a part of the Cargo of the Schooner "Little Penn", also, a British Vessel.— accompanying your letter, is an extract from a dispatch, from General Henderson, to Lord Palmerston, in relation to the first named claim from which it appears that, the Government of Texas, has, through its agent agreed to pay, the amount claimed, in this case.—— I have also received, a Statement, signed by Messrs F de Lagidideo, supported, by sundry documents, Nos. 17 to 24 inclusive, in proof of the Second Claim, referred to, in your Communication.—— I have carefully perused all these papers, and as you have desired, I herewith return the documents Nos. 17 to 24 inclusive, in relation to the Cargo of the "Little Penn", and the remaining two documents, together with your letter to me, I will transmit, without delay, to the Government of Texas, for their consideration and decision.—— In transmitting these papers to the Government of Texas, I shall not omit, to solicit, its early attention, in behalf of both these Claims, and, I cannot permit myself

to doubt, from the disposition always manifested, by the authorities of that Republic, in all cases of Claims, for which, that Government, could be held responsible, that, those demands, will be promptly attended to, in all good faith, that the engagements of Texas, will be complied with, in the one case, and, that, the other, will be disposed of, with due regard, to the justice of the Claim, and the proofs by which, it is supported.—— I shall not fail to inform Her Majesty's Minister Plenipotentiary at Mexico, of the reception of these papers, by the Government of Texas, and of such reply, as I may receive thereto.——

I have the honor, to be
Sir, with great respect and Consideration Your Most Obedient Servant
(Signed) James Treat

To)
R. Pakenham Esq.

Note:— The following Letters of Mr Treat, and, others, could not come in their proper places on Record according to date, in Consequence of the most of them being of a Secret Nature.——

New York June 27th 1839

Mr Jennings to Mr Burnet — Recommendation of Mr Treat

David G Burnet Esqr.

Dear Sir. This will be handed you by James Treat Esqr of this City, the Gentleman who called to see you at my house the night previous to your leaving here, and upon whom you made a Small draft not long since in my favour. He leaves here in a day or two for New Orleans, with some expectation of visiting Texas before his return.— Should he do so, It is with great pleasure that I give you this opportunity of renewing the acquaintance, assuring you at the same time that he is one of our most respectable and highly esteemed Citizens, and every way entitled to your fullest confidence, and all those respectable Courtisies, which Gentlemen are always happy to shew each other.——

I am Dear Sir, as ever, your Old and very Sincere friend
(Signed) N.T. Jennings.

Mr Mason to Gen Lamar — Recommendation of Mr Treat

New York June 28th 1839

Dear Sir

My old and particular friend, and the Constant and efficient friend of Texas, James Treat Esqr of this City, whom you must know by Character, intends making a visit to Texas this Season, and I give him this Letter of introduction to you, saying that you can find no man more worthy of Confidence, and none more entitled to the estimation and good offices of all Texas. I beg that you will render to him all Services in your power.— And oblige your friend
John T Mason

President Lamar.

New York June 29th 1839.

My Dear Sir.—— Allow me, to introduce to your Kindness & acquaintance Mr James Treat of this City, a Gentleman of the highest Respectability and worthy of full confidence, who visits Texas on some important business, with which he is entrusted by Mr Burnley and Myself.— any Services you may render him will essentially oblige me.—— Yours very Sincerely and Respectfully.—
J Hamilton.

Hon Mr Burnet
Actg Sec of State.

Mr Dunlap to Gen Lamar — Recommendation of Mr Treat

New York June 29th 1

To the President.—— This will be handed to you, by Mr Treat
City, who is an old and well tried friend of Texas, and one
Mr T carries some News from Mexico. His means of infor
country are better than most Men.—

Mr. Bee to Secy of State recommending Mr Treat

Orleans 26th July 1839

My Dear Sir.—— This will be presented you by Mr Treat of New York. A Gentleman intimately acquainted with Mexico and Mexican Politics, having passed much of his time there, and enjoyed the confidence of the leading men of the Country. Gen.l Hamilton evidently under the advice of Mr Poinsett, thinks very much can be accomplished by Mr Treat's personal presence in Mexico, in which I entirely concur.—— Mr Treat has had frequent interviews with the Secret Agent here and is aware at all points—He will explain his views fully to the President. The question will arise as to Mr Treats immediate action. Should he receive favorable News by the Constitution—his visit may be unnecessary, should they however, be playing off, as is more than probable until their Agent reports, then the sooner Mr Treat is in the City of Mexico the better.—— Permit me to request you will introduce Mr Treat to the President. I recommend him to your particular kindness—— I am Very Sincerely Yours

—— Warren E Bee—

For Letters from August 13th/37 to Nov. 29th/39 that should have been taken from this Page but was overlooked, now noted and Recorded as Commencing at Page 376 to Page 377 inclusive Mr Treat—Gen.l Samuel Concerning his Negotiations in Mexico

(Confidential) Sir!—— Mexico January 31st 1840 (Evening)

Refering to my last respects of 23rd and which, I have gone forward, I am now happy to, have learned by last Evenings Post that the Erie, will not sail until the 5th Inst.o and hence this will reach Her, and accompanying my preceding two dispatches, and several duplicates, which have been awaiting at Vera Cruz an opportunity to go forward, and after, some delay will now, find a good one for U.S. Ship Erie, which Vessel will stop off Tuspan.—— As I anticipated, in my last, on the 24th Inst. Went forward, the preliminary Communication as Stated in my last, but, in Consequence of some remarks from Mr Canedo, to my friend this letter was not delivered, but returned to me next day, with a Suggestion that, while the matter, was unobjectionable, it would be better Policy to modify the Style and phraseology, and that the dispatch, should come through Mr. Pakenham, who had already proffered his good offices to the Government, in behalf of this Sovereign, to all which I assented, Considering themselves unessential in point of fact, and knowing how very sensitive these people are, and more so in such a delicate Topic as the one in question, is, at the present moment.—— Retaining the substance, I altered the Style &c to remove the objections, of some of the Cabinet, more nice than wise, and to gratify the President, Mr Pakenham, was to bear the Note, with this Letter marked, as private and Confidential, I addressed Mr. Canedo, a private, and personal Communication, which I well knew, would produce to a certain extent, the same effect, as if the matter, was contained, in the official Note, and after two interviews with Mr Pakenham, who had previously, and repeatedly, seen Mr Canedo on the subject, Mr P. delivered the dispatch, three days since, when the Secretary of State informed Mr P. that he would advise me, through him (Mr P) when he should receive me, the question of reception, or seeing me, and hearing me, having been previously determined upon.—— From this period, until this Evening, I saw Mr P. twice, and he once called on me, but being out he left his Card.—— The Secretary of State has now informed Mr P. that he is instructed by the President, to say to me through Mr P. that he will see me at the Department of State tomorrow at 1 Oclock, when I shall of Course attend the not well, in Company with Mr P. If possible, tho I fear it will not be, I will send you Copies of the Notes above refered to, tomorrow, as this letter must be prepared tomorrow night to reach the Erie.—— Nota.—— In Consequence of misplacing my Copying papers, I must copy this page in Ink, I have impressions in my Book, but not on my Sheet for Transmission—this is the Short remedy.——

It would be useless, at this moment, to give you the details of the Conversation had with Mr Pakenham and those between my friend and the Secretary of State.

alike, not without interest, in as much, as it is all of a preliminary and somewhat general character, and even, the most important items, I can hardly qualify, or state what importance should be attached to them, until I get hold of something myself direct, Being I have not time nor strength, to do the subject ample Justice by this Conveyance, I trust therefore that your Excellency will be satisfied with, the leading facts— By the next opportunity I will give you if possible, the copies, and such points, as may be necessary, for the matter to be clearly understood.— I should not have proposed the interview tomorrow, had I not specially desired it, of the Secretary of State, though Mr P. on the ground, that I had an opportunity by tomorrows Post, to place letters, in Vera Cruz in time for the Eric. — And Mr Canedo has thus indulged me, otherwise it would have been deferred, until next week. ———

This so far, shews that Mr Canedo, is Courteous, to me, at least, He also sent me an apology for, not calling to see me, which, under the existing Circumstances, I must own to be So much for Mexicans (Castillian) politeness. ———————————————

Mexico 9th 1st 1846 (Evening)

After an interview with Mr Packenham this morning, he accompanied me to the Palace in his own Carriage, and presented me at 1 Oclock P.M. to Mr Canedo, who received me very Cordially and Courteously, and soon after, Mr Packenham withdrew, and I remained, in uninterrupted Conversation with Mr Canedo, until half past 2 Oclock. Mr Canedo, made no quibi at home and at once, personally, and gave me a long detail of his position in the Cabinet, its Construction, principles, of action State of public opinion, difficulties in the way of rapid progress, in any thing, and adverting to the obstacles which he had found with the President, and his Colleagues, as regards the matter and manner of my reception, and he had, by using Mr Packenham, on the one hand, and arguing in favor of receiving and hearing me, Confidentially, and he was finally authorized, by the President to listen to all I might have to say, without saying much directly to the point.— It seems, that he as well as myself, had intended, this as Packie, an introductory interview, to spy the way, gain my Confidence, and give me some hints, which, he thought would be useful, and in which I had anticipated him.— He was disposed to hear me, but, I suggested that my lungs would not at the moment, permit me, to speak at length, and, that if he had no objections, I would place on paper, the views Sentiments, and wishes of the Government, as regards Mexico which would be perhaps so far preferable to a verbal Statement that, if he found any thing worth Shewing to his Colleagues and the President, he would have it in shape to exhibit, to which he assented. In this I had my objects, and which I will not now detain you to explain. He said however, he would see my Credentials, that he might report to the President, briefly, the general nature, introductory interview, I had in my pocket, my instructions, and the Subsequent Letter of the Secretary of State; and explained, that I had brought no credential Separate, and independent of my instructions, that I received my orders, from the President, at Galveston, where a part of the Cabinet then were, but, that the Seals of office, being at Houston, and my departure urgent, the instructions had been thought sufficient, &c &c &c. I then shewed the introductory paragraph of my instructions relating to my appointment exclusively, and shewed the Signature of Judge Burnet, acting Secretary of State, remarking that the hand writing of both papers was entirely in that of the Judge, and I presumed was well known to Mr Almonte &c &c. He seemed quite satisfied himself, but, stated that he knew the President would not be, and fears Almonte would object.— He said that the Seal of State in proof of the Sig. gave validity to one powers, and should according to all usages, be full for the object intended, and that document alone, would, give a discussion, I was obliged to admit the fact, obvious.

But suggested Mr

He seemed willing to overcome this difficulty, so far as he could, and promised to endeavour to do the same as regards the President, & his Colleagues, but could not positively promise on this point, as regards others. With Mr Pakenhams aid, I can manage this, so as not to interfere, with any progress in carrying forward the discussion to a point, verbally and by presenting the written papers, referred to. But whether I shall reach a point, where any thing is to be signed, or not, is more than I can venture to assert, even can I say with certainty whether the remedies proposed, and listened to favourably by Mr Cañedo, will be satisfactory, to the President and Cabinet, or whether Mr Pakenham will feel disposed to help me through this difficulty, or not, is more than I can at this moment say, as I have not seen Mr Pakenham since my leaving the Palace. However, any or all these may result, it appears obvious, that, it is best at once to procure a regular Credential, signed by the President, and having the Seal of the Republic, and countersigned by the Secretary of State, with the Seal of the State Department, if any there be. This Credential in the usual form will authorize me to enter into any permanent, or, preliminary arrangement with the Government of Mexico Establishing the bases, or principles of a Treaty of Peace, limits, recognition and so forth, according to instructions &c &c. This should come forward Original & Duplicate, addressed to, Simply to me, and Covered to Mr Borrough Esquire United States Consul, Vera Cruz, and let one follow the other — If I accomplish any thing, this will enable me to sign and bind the Government &c. If it is not wanted, I will direct its return, Should, as I take it for granted, you concur in this, let no time be lost in forwarding them, Should I remove the difficulty so far as to enable me to go on, I will advise you in a few days, when, I am just informed there will be another Vessel from Vera Cruz to New Orleans... Should the Salvus, thus involved be in vain delay, I dare not to cause any time, from the delay—, I beg leave again to repeat, that this should not be omitted a single moment.— One Copy might be directed, Via the Havana, under Cover to) Genio and three, to be forwarded per first good Vessel for Vera Cruz. One other by the first Vessel direct from New Orleans to Vera Cruz, if two different direct opportunities offer, they ought of Course be embraced. I said just enough to Mr Cañedo on the Subject of business, to induce a desire to hear more, and hence operate as an inducement, to Mr Cañedo, to hear me through, under the proposed modus which I shall try on Monday.

I have not time for more, the Mail Hour having nearly arrived, I will report further this, in a few days, by the Vessel, said to be going to New Orleans in a week or two days. You will pardon haste, as I have been obliged to write away from my own room, and with such materials, and in such manner as I best could, I think I will be listened to throughout by Mr Cañedo, and, if I effect nothing, I will know I think, fully & candidly the views of this Government, and how far they are disposed to go, If they are prepared to act at all, I am without any thing from you, but I hope you will soon send me something. You will have seen Mr Pakenhams letter to General Hamilton on this, but you must not take all his opinions for Gospel, tho in that, he may be right, He appears willing to serve my objects, but I think I discover a disposition, to procrastinate, which if continued I think I know the object, I shall continue to use his good offices, and endeavour to meet them, by an apparent, if not real, corresponding frankness, hoping any explanations thus far may meet your approbation. I remain Dear Sir, Sir great Haste, Your most Obedient Servant, with the highest respect and Consideration.

To Genl Mc Bl Samar &c &c (Signed) A. Great

Mexico February 1st 1840

Sir.— I have the honor to have you herewith, Copy of the Contract between the bona holders of the England Bonds, against the Mexican Government, in London, and the Agents of the Mexican Government, also the decree of Congress, authorizing, the Consolidation of said Bonds, and confirming the Contract, and shall add next Packet, the regulations and instructions of this Government, which I could not do to night.— You will find this a very important document and which I only received last night, and could not dispose of the Copy, which must be returned, to obtain a correct translation of it, it cannot be but useful to you, in your deliberations, I have no time for Comment, I Remain very Respectfully, your Obt. Servant.— (Signed) Daniel Treat.

Confidential Mexico, February 4th 1840 (Evening)

My Dear Sir.— I beg leave to refer you to my late respects of, 1st 18th 25th and 31st Ult, Each with Post date of 1st Inst, all which I think, will have got together at Vera Cruz, and will be forwarded, to Pensacola per U.S. Ship Erie, to sail as I am advised Tomorrow from Vera Cruz.— I have only sent forward duplicates of my advices up to that of 9th Ultimo, inclusive, the last named are now being Copied, and will go forward soon, I also addressed you, Officially, a few hasty lines under date of the first Inst, Covering a manuscript Copy, in Spanish, of the Contract between the Bond holders in London, and the Mexican Government, and their Agents, together with the decree of Congress, in relation to the Subject, and will soon place in your hands, the instructions, of this Government, given in virtue of said Contract, and Law of Congress, for the government of the Agents, in London,— I again, recommend to your attention said papers, as you will find, by the translation (which I had not time to give you) that they are worth your attention.— I will endeavour in my next, to give you my views, of the matter, and shall perhaps have more on the Subject then, than I do now, for altho, the English Packet has arrived, I have not found, these papers published, and there, bearing is such, on my negociation, as such, I do not wish to Call the attention of Mr Pakenham, to the Subject, nor, that of the Secretary of State, at least until I can Calculate about the, matter stands, It will appear from the Contract I have sent you, that 25 Millions of acres of land in Texas, is Specially hypothecated to the Bond holders, and if sold, the proceeds to go to them.— this is in addition to the Millions, previously hypothecated generally for the same object, I refer you to the translation, at least, until my next Letter.— I have but little of interest to add to my recent long and hasty Letter of 31st Ult to 1st Inst.— I have seen Mr Pakenham the British Minister frequently, and he has proffered since yesterday Morning, to offer the guarantee, referred to in my last, to Mr Calhoun the Secretary of State, so as to remove the difficulty arising from the omission, of the formal Credentials, embracing the powers, intended to be conferred on me.— Mr Pakenham would not be able to see the Secretary until this evening, tomorrow I will pass a Note to the Secretary, which will be accompanied by Mr Pakenhams Guarantee of the validity of my appointment, and powers, to treat &c, until the powers I have asked for, in my last, should arrive, or time should shew, that I have no occasion to use them for the purpose of signing, any arrangement.— This being done, I shall send in an Exposition of your views, and the wishes of the Government of Texas,— This paper I shall draw up, as near as may be in Conformity, with your instructions, and, such as I think, best calculated to awaken the feelings, and excite the interest of Government, I consider a written paper of this character, decidedly preferable, to a verbal relation, of the grounds, your application for peace, and the pacific views of your Government, soon as I shall have sent it in, that is, by the next Conveyance, I have a Copy of it, and my views

X Mr Pakenham has treated me this fair with great attention and seems disposed to aid me all in his power. = In fact the more I see of him the better I like him, and my previous unfavorable impressions, are in some considerable degree removed, X When the Secretary shall have sufficiently examined, and weighed my exposition I shall be prepared to submit to them propositions, Should he signify a wish to receve them, I forget, in my last to say, that, aware of the influence of Mr Alvarez, in the Cabinet Councils and with the President, on this topic, particularly, I addressed him a private and personal letter, some days since, calculated to conciliate him, in the disposal of this question, but as yet, he has not replied to it, and has resorted some indirect overtures which I have made, to obtain a verbal interview. He I fear will strongly oppose my pretensions. But I will see if I cannot reach him through some other Channel if possible. = I also omitted to say that Lord Palmerston has directed Mr Pakenham to request a categorical reply to an extract from the instructions, given by the former, to the latter, which was, which was, given long since to the Secretary of State, in which Lord P. says clearly, that they recommend an amicable adjustment of this question, and intimate that, after a reasonable time they shall do as they did in this case (similar) between Spain and Mexico, that is, recommend, recognition, if it is not done, England will follow her usual and obvious Course, and recognize, when ever her interest requires it. This is the substance of the Note, They have only replied verbally and he will this week endeavour to get a more Specific Answer. =
I have nothing further of interest, but will write again in a week, and add all that may occur, Pardon my Scrawls, as my Copy Book is bad, hoping daily to hear from the drove, I remain Very Cordially and truly and with great Consideration, in haste, Your Obdt Servant

(Signed) James Treat.

To Genl M. B. Lamar
Texas

Private. — Mexico Feby 6th 1840

Sir. — I have the honor to inclose you duplicate, of my respects of 18th ult to which I beg leave to refer you, in case the original is not at hand. = I had intended, and so promised you, in my last, to send other duplicates, and Copies, but have just heard that, a Vessel is about departing from Vera Cruz, of which I was not apprised, and have only time now, to hand you the enclosed, hoping that this nightly Post, will convey this letter in time, to Vera Cruz, for the Vessel in question, another opportunity will soon present itself, and I will embrace it, to send you Copies of my letters to the Secretary of State, duplicates of my last. — X I am sorry to inform you that the Secretary of State seems to have changed his mind somewhat, and has required of Mr Pakenham, a formal and official guarantee, binding this Government, to the fulfilment of any stipulations, that, , Mexico & Texas, might enter into, when in our Verbal interview, he merely required, what was called, a guaranties, but only then required, to be an official letter, stating that he has been satisfactory, evidence, that I was authorized to treat and bind the Government of Texas, within my instructions = The paper now required of Mr Pakenham, is, unusual, and he with some reason hesitates, about giving it — We shall make another trial with Mr Cañedo, and endeavour, to remove the difficulty so far as to go on with our Conferences, at least, until the Credentials are received. This may be a pretext to gain time, or, procrastinate, but we shall see tomorrow, or next day, at all events, you will

perceive the necessity, as I conceive, that the Credentials, should forthwith be sent in duplicate, and let them be ample and full, that no further pretext, or excuse will avail them. If by Tampico, my letters may be covered to R Pakenham the British Minister, and forwarded to the British Consul there, at Vera Cruz as the Department is already advised, under Cover to the American Consul. The very fact that they make the excuse of want of formal credentials, will compel them to hear and decide when I get them. I therefore hope they will be sent, without delay in full form. I will address Mr Cañedo, a private & personal Note, urging upon him to accept of Mr Pakenham's written assurance, so that we may progress in our discussions, meantime, the documents referred to, arrive. I think we will overcome the difficulty, some how or other, if it has originated with the President and Almonte, as I apprehend. But if it be a mere pretext, to gain time, they may Compel me to wait, until my powers, come which I hope will be very soon. I am perfectly well satisfied now, that Mr Pakenham, acts with me, or honestly labours in my behalf, of which I had before some misgivings. If I find it best to press the matter upon the Government, I can find ways and means to do so, but I think, this would not be politic. Mr Pakenham has letters to day from Genl Hamilton which I shall see tomorrow. I have nothing from any quarter I cannot say more indeed I write in great haste, fearing I shall miss the Post

To / Genl M. B Lamar

Very faithfully Your &c
(Signed) James Treat

Private.

Sir. Mexico 3 February 7th 1840

I have the honor to transmit you herewith Copies of letters No 1 to 3, which I have had occasion and intend hereafter, to address to H. E. Mr Cañedo, Secretary of State, in relation to the Object of my Mission, and I beg leave to submit, a few remarks in relation to one Communication, which I beg your Excellency will take into Consideration, in perusing said letters, as without some explanations, I fear they might not be well understood, and perhaps, they would not merit H. E. approbation. I am aware Sir that, such papers, should speak for, and explain themselves; but I trust, that when your Excellency shall have received all my advices, up to the present date, you will be convinced, of the difficulty of my position, under the existing circumstances, and therefore, that to secure an interview, and a full hearing, was the only way in which, I could carry out, your instructions, or even learn any thing, of the views and intentions of this Government, as regards Texas. To effect these objects (without which my mission would be entirely abortive) I have had to bend, some what, to circumstances, under the direction given me, and to adopt, that course, which I thought best calculated to secure first the primary Object above indicated having already explained to you in former Communications the cause of my delay, in approaching the Government, and the Course I adopted, during this interval, I will now submit my letters, with such brief explanatory remarks as, I hope will prevent any unfavorable impressions, which the mere perusal of of the letters, might leave on the mind of H. E. and I shall be happy, if in view of the whole Subject, I shall be so fortunate, as to merit your full approbation in my difficult task. No 1. * is a dispatch, I had prepared, to announce my arrival and my character, here, to the Secretary of State, as soon, as I thought way was prepared for its probable favourable reception by Government. The clause requires no remarks. The Second, was framed under a full conviction on my part, that unless I convinced the Government, that my character was entirely unknown to the public, and might be so continued, if the Governments would keep their transactions. I should not, even obtain a hearing and hence the

(The third clause; Considered because if gave the Secretary, might be willing to take, while he might be unwilling to write, and hence the entire affair was given him, while, as you will perceive, Secondat, the opportunity of a Conversation with the Minister, before any definite action, would be by the Cabinet.

(In the fourth clause, I was desirous to say some thing, that, would favorably influence the President & Council, to agree one or two things, on which they were both very undecided, on their subject, and hence I made the formal appearance of yielding to the President of Mexico of desire for peace.—— (The fifth clause requires no remarks.

(The sixth clause, was to accord to Government, for my remaining so long here, without succeeding myself, as I deem almost every hour of this day of my arrival here, one of course supposed, that he had, or might have explained his Colleagues of the fact.—— This letter, having subscribed to my friend for perusal, I handed it to him, for delivery to the Secretary, but, it was determined the next day unopened, with the opinion, that it was not such a letter, as would please the President; being too strong & categorical, and not sufficiently smooth, or smooth enough, to suit those people, and might be fatal to my success, for consequences, and after some reflection W.2. was substituted.——

(In regard to this letter No.2. I have only to say, you will observe (perceive) that it was framed to please, and had, only one leading object, that of so far gratifying the President, and Ministry, as to authorize the Secretary to listen to me, and do what I had to say; and it produced the desired effect.

(In fact, the said letter is a compliment of Mexican Blood, for in such English as I could translate, to the ones.—— (The result, you know, that, I was admitted, to an interview, and, it was agreed, that I should present in writing, the views and wishes of Your Excellency, the only intermediate difficulty being that I was under disqualification, between me, of formal Credentials, which it was admitted, could be remedied by Mr Buchanan.—— It remained to be seen to day, whether we should succeed, as Mr Buchanan has an interview with Mr Canedo at 2 P.M. Your Excellency will therefore make due allowance, for this Document, No.2, in view of this elucidation.——

(As regards No.3. Containing the views of your Government, which I have before Commenting to state, that it might be seen & perused by the President and Cabinet, and for whom produce some effect, Where it to your Excellency seemed, with some alterations, as will be seen, how humble, has been the talent, which I have been able to bring to bear, on this subject, I sought to make it clear and intelligible and also Respectful and have endeavoured to, frame it, as to carry some conviction, to the minds, of those whom I was to deal in this matter.—— I am fully aware of its entire insufficiency; but again I say, Your Excellency intelligence and Consideration, may make some alterations, or variations, with before submit it to the Secretary, of which, I will inform you.—— It will not however be essentially changed.—— I have no time for more, and retire to you now in my great haste, for which I ask your favorable Consideration.——

(I Remain with great Consideration and respect, Your obedient Servant

His Excl. Mr Zamora.—— (Signed) (James Prior)

Confidential. Document No 1.

(Copy)

City of Mexico January 24th 1826

Most Excellent Sir.—— I have the honor to inform your Excellency, that having been appointed by the President of the Republic of Texas, Special, and Confidential Agent of that Government, to confer with the President of the Mexican Republic, respecting existing differences, I am desirous to enter upon the fulfilment of the duties, which thereby devolve upon me, and inform your Excellency, will have the greatest to inform, of your

readiness, to receive me, for this purpose. In the interim, I beg leave to observe to your Excellency, that my appointment to this Confidential Agency, was intended to be kept entirely Secret, and has been so kept as far as practicable, for the mutual convenience (as was supposed) of both parties. I therefore, respectfully suggest to H. E. the Envoy (Should his Excellency the President of Mexico concur) of this, to consideration, that, until the result of my Mission, shall be ascertained, or, until the parties respectfully, may think proper to divulge it, and more especially, Should the overtures, which, I shall have the honor to make (when admitted to Conference on this important Subject) Should be entertained, and acted upon, by H. E. the President of Mexico. I dare entirely with your excellency the manner of conducting this business, whether, verbally or by correspondence, but at the same time, I beg leave to suggest as quite obvious, that, personal intercourse, between your Excellency and myself, may perhaps be, the most Conducive, to a prompt, and clear understanding of the matter. H. E. will, however decide on this point, as every appears most Convenient to. I have, I may safely, further, trespass on the time of your Excellency, as to state, in this preliminary Communication, one point of duty, and of mine, justly be considered the first. Permit me then, through Your Excellency, the President of the Mexican Republic, that I am especially directed by the President of Texas, to assure H. E. that the President and Government of Texas, most earnestly, and sincerely desire peace with Mexico, and it is firmly believed by them, that the time, that may intervene upon that peace, should be devoted, to the honor and advantage, of both parties. When I shall have the honor of an interview, and of presenting to H. E. the views of the Government of Texas, I am then fully to further explanations, which would be unnecessary in this Communication.

If I have not been more presented myself to H. E. it has been, because I have been anxiously awaiting advices, that, would enable me to remove, entirely, any misapprehension, or suspicion, which the President of Mexico, may have entertained, as regarded, any knowledge, or Co-operation, on the part of the Government of Texas either, directly, or, indirectly, in the enlistment of some of its Citizens, or residents, in the ranks of the forces, recently in Arms, on your Northern frontiers. I am, still, I have not yet, received, those expected, additional, and, unequivocal proofs, I can, however assure H. E. the President of Mexico, in the most solemn and positive manner, of the negative of these apprehensions, should any such, still exist, in the mind of His Excellency. Meanwhile, I trust that, without further delay, it will be my duty to announce myself to H. E. and shall be happy to furnish the proofs, of the assurance I now give, whenever I receive them.

I await the satisfaction of your Excellency's reply, to this Confidential Communication, as soon, as it may suit H. E.'s convenience. I have the honor to be with the highest regard, and consideration, H. E.'s most obedient and very humble Servant.

(Signed) James Treat.

To H. E. Señor Don Juan de Dios Cañedo, Minister of Foreign affairs, of the Mexican Republic

Mexico.

Document No 9.

(Copy)

Mexico January 24th 1836

Most Excellent Sir.

The present age, is distinguished from the past, in as much as we find, existing, every where, single, and distinct, laws, mutual rights and interests, are closely examined and made to overcome the mere prejudices of men, and, the welfare of society weighed, and scrutinized, more with a view to the future, than to the past, so that, true Glory, is now, only sought in the paths of peace, seeking, that of the

War, Death, Famine and Pestilence, for the space of seven years, devastations, as they must be dreaded, even by those, familiarized from the source, of action, became even part of fact, this would be, to retrograde, or, at least, suspend, and retard Civilization, and the happiness of mankind. Texas, fully convinced of these salutary truths, and the great benefits Mexico, so urgent as to be appreciated by Foreigners, should cultivate the Glory she has already acquired, by her past acts, as well, as the reputation for prudence, and circumspection, for which, she is so much distinguished, among the nations of the Earth. The time of these Negotiations, which, it is proposed to render due Justice to Mexico, Texas, dispatched, at the Commencement of last year, the Agent to Mexico, for the purpose of establishing a good understanding, between the two Countries, upon a national and permanent Basis, which would secure to each, a friendly intercourse, and all the advantages of reciprocal Commercial relations, together, with those good feelings, which, would present to the world the most flattering aspect. Texas might have adopted a different Course, but she was unwilling, that, to recent Injuries, and while she deplored, the past misfortunes of her people, she has the satisfaction, of not having abandoned, those principles, which in 1836. induced her to bury the griefs, rather than cause injured to Mexico. Mexico, had received abundant proofs, during the preceding year, of the pacific disposition of Texas, one of which, was, the observance of the most rigid Neutrality, in the Struggle, between Mexico and France, and, notwithstanding this, Texas, saw with regret, its Agent rejected, in a manner, so different from what, might have been expected, in view of the Considerations, she had manifested, towards the mother Country. This circumstance, would have exonerated Texas, in the estimation of the public, from all responsibility, and justified her, in acting Independently, in all her subsequent measures, without any further Consideration, towards a people, who appears to be, under the influence, of unworthy motives, and antiquated allies. Texas, notwithstanding all these Circumstances, is disposed to satisfy fully, her own principles, and this therefore, unwilling to run the slightest risk of misconception, as regards the principles and feelings of the Mexican Government, which, perhaps, prevented (on the occasion referred to by the undersigned) from acting otherwise, either in Consideration of the existing Circumstances, or probably, in view of doubt, which, there was no opportunity to explain. In view therefore, of the preceding reflections, and animated, still, by sentiments of good will, towards, the Mexican Republic and its Government, the undersigned, has been appointed, private Special & Confidential, Agent of the Government of Texas, (acting for the present, with due secrecy and reserve) and he is fully authorized to present himself, to H. E. and enter at length, into the views, principles, and wishes, by which it is animated, as well as to discuss, and arrange, all matters, which, may be considered, of mutual interest, to both Countries. The undersigned, Congratulates himself on having arrived in this Capital at a period, when the Supreme Government of Mexico, has received the most positive assurances, as regards the impartiality of the Conduct of Texas, in the recent disturbances which unfortunately have occured, in some of the Northern provinces, and he flatters himself, that this Circumstance in Connection with various others, propitious to both Countries, will secure a favorable reception, to the request he has the honor to make to his Excellency the Secretary of State, and of foreign relations; That H. E. will have the goodness to grant the undersigned, a private audience, in which, he can present his Credentials, and refer briefly to the object of his Mission.

The undersigned, has the Honor to Subscribe himself, with the highest respect, and Consideration, Your Excellency's most Obedient and Very Humble Servant.

To, H. E. Sr. Dn. Juan de Dios Cañedo, Secretary of State and of foreign Relations.

(Signed) James Treat

Copy of Document No 3

Brief Exposition, of some of the reasons, in favour of the Expediency, and policy, of a prompt and amicable arrangement of Existing difficulties, between Mexico and Texas, and a Speedy recognition of the Independence of the latter, on the part of the former, under treaty Stipulations which, shall secure a permanent peace; a fixed boundary; and, all the consequent advantages, of a free and well regulated intercourse between the two Countries.

In the first place; Texas, most Sincerely and earnestly, desires a peace with Mexico, which shall be lasting and honorable, as well as beneficial, to both parties; of which, satisfactory proofs, might be advanced, were they deemed necessary. — And, in the Second place; Texas, most fully and firmly believes, that, in, asking Mexico, for a peace and recognition, under treaty provisions She does not require of her, any sacrifices, that will not be fully Compensated for, by the benefits She will derive, from the peaceful and friendly Commercial relations, which will grow out of these pacific measures of policy. — The following propositions, it is believed, will require no Special evidence, to support them. — 1st That, there is an entire dissimilarity, in the Education, habits, dispositions, and pursuits of the inhabitants of the two Countries, which will forever prevent them from assimilating, and moving harmoniously together, under any System, were they again United. — 2nd That, there is a total incompatibility of Ideas, entertained by the people of the two Countries, as to those forms of Government, best adapted to secure, the rights, and provide for the wants of Society. — 3rd That, Conflicts, would inevitably arise, from this incompatibility of Sentiments, and, evils, would indispensibly result therefrom, Should the Anglo Saxon Race, now inhabiting Texas, be again Co-mingled, under the same form of Government with a Mexican population. — 4th That, Texas, would be a possession, not only inconvenient, but almost worthless to Mexico, from its remoteness from the Seat of Government and the main body of her population, as well, also, as from its Contiguity to the United States, where, under any circumstances, its intercourse, must principally tend. — 5th That, Mexico, would obviously, experience great difficulties, and incur great expense, in keeping the Indians within, and bordering on, Texas, as a Check, at so great a distance, from its population, and resources. — 6th That, there would, necessarily, result, great benefit, and advantage, to both Countries, from a friendly intercourse, and trade, Conducted on the basis of good faith, and, in the Spirit of kindness and harmony. — To the preceding, many other facts, equally Self-evident, might be added; but, these, are deemed sufficient, for, present purposes. — In proof of the pacific policy of the Government of Texas, whose people, entertain no feelings of antipathy against Mexico, or her people, it may suffice, merely to refer to the disposition, which Texas, has Constantly manifested, since the battle of San jacinto, to rely on friendly negotiation in the adjustment of her difficulties with Mexico, rather than any just resort to war. — Had Texas been disposed to adopt, or encourage, a hostile feeling towards Mexico, She has had inviting opportunities, for invading that Country, not only, during the domestic conflicts, by which, from time to time it has been harrassed, on the one hand, but also during the embarrassments, produced, by the French, [illegible]

has abstained from any hostile action, reposing confidence in its own assertions, for peace, through the medium of pacific measures of policy, towards the Mother Country ——— If any confirmation of the continuation of this peaceful disposition is wanted, it may be found, in a very recent, and highly Creditable act of the President of that Republic, who rejected, or, rather refused to entertain, propositions of alliance, or Co-operations, made in the name, and behalf, of some of the Northern States, by the Chief of a faction, in arms, against the Government of Mexico. ——— Had the Government of Texas, been disposed, to countenance these overtures, it cannot be denied, that Mexico, would have been annoyed, and, embarrassed, by such a course, and thereby, exposed to Considerable inconvenience, and expense. ——— This forbearance, under such inducements, and advantages, furnishes strong evidence, of the earnest desire of Texas for amity, a desire, which nothing will destroy, but, an evident attempt, on the part of Mexico, to do her injustice, & the injustice must be, Texas is yet unwilling to expect at the hand of Mexico ———

If we look at the actual Condition of the Young Republic, scarcely yet passed the thresholds of its existence, we find it has been occupied, from its earliest moment, to the present period, in forming and Consolidating her institutions, and Confirming her political Government, until, as, She, herself now believes, She stands in a position, both as regards her internal, and external Situation, to justify her in the Claim, She now presses on the parent Country, for recognition, and especially since Texas, is willing, on her part, to make a liberal, and even generous Sacrafice, by allowing a national Consideration, for such an act of grace, as Mexico, now, has it in her power to bestow, by a prompt recognition, and a liberal boundary ———

If we merely take a glance, at the tranquility which prevails within her borders, the improvements every where taking place, her present and rapidly increasing population, the present State of her finances, and her future prospects, through the medium of her partially negotiated loan, her ability for Self defence, Consisting of a numerous body of Citizen Soldiers, at all times available, and a regular Standing force, sufficient for any sudden emergency; also, her Marine, which although Small, Consists, nevertheless, of some eight, or ten, efficient, and well appointed Vessels of war, including an armed Steamer, We should find, many, if not all, the substantial, elements of political Stability, as well as of Self-defence. ——— If we further examine Her external relations, it will be found, that since her recognition, by the United States, (whose Government has long since established, diplomatic relations, and Commercial intercourse, with Her, and is now engaged in running the line of demarcation, between the two Countries, in Conformity with the Treaty between Spain & the United States,) progress has also been made, in securing the advantages, of an early intercourse, both diplomatic, and Commercial, with the first Maritime powers of Europe, the result of which, so far as is yet known, is, an established, Commercial, intercourse, between Great Britain, and Texas, by which, the flag, and productions of Texas, are received, and protected, in British Ports, the same, as Mexican; and more recently, a Treaty of Re-cognition, amity and Commerce, between the King of the French, and Texas, founded, upon principles of perfect reciprocity; and the Consequent appointment, of a French Charge de'affaires, near that Government. And it is furthermore believed, that England, will soon be disposed, to adopt a similar Course, Satisfied, as She probably is, that the true interest of Mexico will be best promoted, by a prompt and amicable arrangement with Texas ———

Numerous other facts, as well as arguments, might be further adduced, in Confirmation, of what, has already been stated, but it is thought entirely superfluous, inasmuch, as His Excellency the President of the Mexican Republic, as well as his Constitutional advisers, must necessarily be very well acquainted, with the true Situation, and Exact Condition of things

as regards, the subject under Consideration, which, in every point of View, is important— The principal advantage, which, will result to both parties, from this much desired amicable arrangement, (besides the very important consideration of peace) boundaries; treaty of friendship and Commerce) will be, those, arising from an intimate, and extensive Trade, between, the two, Countries, both which are as important, (and probably more so) to Mexico, as to Texas, itself—

On the other hand, the renewal of active hostilities, by either party, altho' its immediate Consequences, might not be found, or felt by either, would doubtless be productive of much evil, as it would engender a Spirit of hostility, enmity, and revenge, which happily does not now exist, at least in Texas; and would inevitably tend, to destroy, and obliterate, those friendly feelings, which, ought ever to exist between a frontier population, so extended, as the one referred to— With right, and proper feelings, on the frontiers, inculcated by the respective Governments, it would be easy to carry into effect, in good faith, such Treaty Stipulations, as might be agreed upon; while Exactly the reverse, Would be the fact, just in proportion as the frontier population, became embittered, by further hostilities—

The alternative of War, whatever, may be its final result, must be attended with great loss of lives and Treasure, besides, the numerous, and unforseen evils, which, always, follow in its train— As regards a passive War, that is, a Continuation of the present State of affairs, it is diametrically opposed, to the best interests of Texas, as She cannot remain remain, in her present position without a great sacrafice, than She would, be required to make, in any other which She might be called upon or think proper, herself, to assume— No Course of policy, as regards, the parent Country, was specifically pointed out, by the preceding administration, & if adopted, was not acted upon— Under the administration of General Lamar, this matter having been duly Considered, a pacific policy was decided, upon, in preference to the adoption of measures of hostility, and a full conviction, that a proper time, and after due Consideration, Mexico would meet these friendly Views, as more Consonant with the peaceful Spirit of the present age, as well as in accordance with her best interest; and hence a first cause overtures of Texas, by according to her peace and Recognition— An effort, has been already been made, by Texas, to make known these amicable sentiments to the Presidente and Government of Mexico, but for various unforseen causes, which it is supposed may be ommitted, this measure produced no result— Unwilling however to abandon the policy, She had voluntarily adopted, without first ascertaining, the views and disposition of the Government of Mexico, She has now, adopted the present Course, which She believes, will be considered entirely unobjectionable, on the part of Mexico, and She is at this moment, awaiting the issue, with an interest, proportioned to the magnitude of the question, of peace or War, and the length of time which has elapsed (to her great prejudice) since She first marked out for herself, this pacific Course— She has now fulfilled a duty to herself, and performed, a voluntary act of justice, towards her parent Country, which She thinks, should, and will, be appreciated by Mexico, and in any event, meet the approbation of the friends of humanity, throughout the civilized World— She may be once more repeated, That Texas, is now awaiting the result, with great Confidence, that it will be such, as to enable Her, to Sheath the Sword, henceforth, become friends and Neighbours, with Mexico, and Her people—

Should, however, Texas, be disappointed, in Her hopes, and expectations of a friendly, and honorable arrangement, She must, of Course, prepare herself, (if indeed, She is not already prepared) for the alternative, and thereafter, consider herself, Exonerated, from all blame, and returned forward, to consider herself, Exonerated, from all blame, and responsibility, consequent upon, the more success, of this second, (and far less friendly course to Mexico, and also

To this end

might, Still be, superadded, and especially, in reference to the uncertainable evils, which must result, from renewed hostilities, which might be much prolonged; but, They are entitled, and will doubtless, be justly understood, and duly appreciated by S.E. the President of Mexico, as well, as by those, who, may be called upon to deliberate with them, in relation to this important matter— The Object of this Statement, has been, to represent, in all good faith, and with great frankness, the well known wishes of the President of Texas, and the views of that Government, and, further, to call the attention of S.E. the President, and Government of Mexico, to this important Subject, in all its various aspects, and bearings, with a view, to its early decision in relation thereto— This being accomplished, the preceding facts, inferences, arguments, and Reasonings, are with all due respect, Submitted, for such Considerations, and action, as His Excellency the President, of the Republic, may Consider them, them justly entitled to— In fulfilling the high Confidence which has been reposed in the, Undersigned, By the President of Texas, it has been the primary Object of the writer to transcribe faithfully the views of the Government of Texas, and at the same time, carefully to avoid, every thing, that could, even in the slightest degree, offend, the honor, or the dignity of the Republic of Mexico, or its Chief Magistrate, and Government; and he flatters himself, that, he has succeeded—

If, unhappily, he should be deceived, he relies upon the kind indulgence of S.E. the President, as well as that of your Excellency, to attribute, to inadvertence, and the very slender, and humble talents, with which the Undersigned, unfortunately, has been able to illustrate, this highly important topic— The Undersigned, Concludes, by tendering his most respectful Considerations, and highest regard, to S.E. the Secretary of State for foreign affairs, and through him to S.E. the President, of the Mexican Republic.

Your Excellencys most Ob.t Servant,

(Signed) James Treat

To. S.E.y Dn Juan de Dios Cañedo, Secretary of State and of Foreign affairs Mexico

(Confidential) Mexico. Febuary 8th 1840 P.M.

Dear Sir— I beg leave, to refer you, to my Several late advices, 22nd Jany 31st Jany, closed 1st Feby, and 7th 4th 6th 7th & 8th Instan Di all which, are yet without duplicates, which however, shall very soon, be on their way— Refering you more especially, to my Respects of 6th Inst written very hastily, as you will perceive, I will now inform you, the result of Mr Cañedo, final determinations, on the point at issue, with some other not, unimportant matter, hoping it may overtake my last of 6th Inst— Should it not, it will not probably be far behind, those of my letters which have gone to Pensacola per the United States Ship Erie, nor those per A. Mannard, for New Orleans, as the Francis Amy is to sail for the latter Port, on the 12th Inst. I have already informed you, that I Simply official Note of the British Minister, assuring the Secretary of State, that he was abundantly satisfied of the sufficiency of my powers, and the validity of my instructions, would be sufficient to enable me, to proceed, but a positive and more formal guarantee, was required, than Mr Pakenham could give— But as Mr Pakenham, received by way of Tampico on the 6th Inst, a long letter from General Hamilton, dated at New Orleans

1. Dr. of Instant (rather January) in which I was referred to, and in which Genl. goes into some details, of the present views of Your Government, it was agreed, that with this additional evidence Mr. P. should again call on Mr. Canedo, and make one more effort, on this point. Third interview, was not effected until Yesterday, when a long Conference took place, and Mr. P. urged the consideration of the matter, strongly, upon the Secretary, stating, that now, was emphatically the time to listen to me, that there was no doubt but that my powers, and instructions, were ample to discuss, and treat, and that there could be no reasonable doubt, but that my formal powers, and Credentials, would be forthcoming when I could sign any preliminary engagement, or even a definite one, if we agree on any thing, in the meantime. The Secretary however, was firm in his purpose, and required that the guarantee, full and formal as required should be given, or, the subject suspended, until my Credentials reached Mexico. This Mr P. on his part declined, and gave his reasons to the Secretary, as he had previously done to me. It was, however, agreed upon between us, before the final Call, that, should this be the result, Mr. P. should, stay, there let Mr Treat's Communications, and final propositions be through me received, and I will, assume the responsibility of the correctness of any propositals that he may make, satisfied, as I am, or shall be, when the case arrives, that Mr T, will not propose any thing in which, he is not justified by his instructions, and thus the matter has been arranged, and I propose saying him a Note, recognizing this arrangement, so that he shall not fly from it. This shall be done on Monday, and on Tuesday I will present him, the exposition of your views as I have drawn it up, from the general Tenor, of your instructions, and what I know to be your wishes, and those of your Cabinet, on the General subject. After this paper (which will purposely abstain, from, stating anything, from which your, army, propositions can be inferred shall have been disposed of, by the Secretary and the Cabinet, and produced its effect (whatever that may be) I shall then be prepared to submit my first propositions, in view of which, I shall, probably receive an answer of some sort. If it be, a decided and unequivocal, refusal, which will not admit of any discussion of the different points involved, I can then ask if the Government have any Counter propositions to make, to see, as far as possible, what their views are in reality, that is so far as this, may serve to shew them. In the mean time, I shall endeavour to learn through my private Channels, if practicable, their real and Secret views, & intentions. This under all the circumstances, I have considered, as my best Course, it will save some time, if the Government act promptly and with the aid of Mr. P. I think, the matter will come to some issue ere many weeks. Meanwhile, I take it for granted, that you will send forward the Credentials I have asked for, in full, & due form, and without delay, as I have pledged myself, to the Secretary, as well as Mr. P. they would be sent, and this, would give Confidence to your views and wish for peace, and a final arrangement. even, though I should reach, and leave, more promptly, than I desire, or anticipate, and there should hence be a suspension of the Negotiation, I should make known the fact to the Government that I had received my Credentials, and was ready to receive the final wishes of this Government before my departure for Texas, which would be equivalent, to reopening the subject for further discussion, & Change in their previous determinations. These however are merely present views without any other instructions, than those Original.

Mr Packenham has been very much occupied ever since my [illegible] and especially for several [illegible] that my intimate

short, and our [illegible]

† or the subject very generally, but next week, I shall have a long & full Conversation with him, on all the points involved, and act, then, as may be deemed most advisable, in view of Mr Pakenhams opinions—

I also remark, as very obvious, that I hope to receive your further advices, and Commands, if any, soon, indeed daily— and at all events, before the question comes to a preliminary issue, with the Secretary, under the Course I have herein Conditionally marked out, as my probable Course, subject, to such modifications, as may grow out of a further an full Conference with Mr Pakenham, and also, subject, to any variations, that may arise from your further advices, which I await with great anxiety, and almost impatience.

I shall examine more closely both the letters from General Hamilton, to Mr Pakenham particularly, the last letter, which being written, on his return from Texas, should be considered, as in Conformity with the views of Government, so recently ascertained by the General. But, at the same time I think, I ought to anticipate, your advices, in Conformity with those of Genl Hamilton's - if his views to Mr Pakenham are those entertained by yourself and Government, I shall await them, that is your dispatches, for my better Government in the prosecution of the interest of Texas, as regards my correspondence with Mr Calhoun, and as regards the joint action of Mr Pakenham and myself, or at least to enable me to receive his advices and opinions, without the risk of running Counter, to the wishes of Your Excellency, or the advantages of making the most of our negotiations, at this intervening period - Mr Pakenham, considers, the letters from Genl Hamilton satisfactory, that is, Mr P. is satisfied, that the views given him by Genl H. are authorized, and in Conformity with his powers or authority, but at the same time, they dont authorize Mr P. to act authoritively - for he can only say, if he desires it, or if we think it good policy, for him to assume anything, as regards Mr Calhoun, and the Negotiation which is now generally opened, I remark that in this case, Mr P. can only say, I am authorized by Genl Hamilton, to say, or do, or pledge thus and so. The question may be put to Mr P. and who is Genl Hamilton "We know nothing of him; and that would be a case parallel to my own, for they Virtually say Who is Mr Treat "The answer is, a confidential Agent with powers to treat - They reply, where are his Credentials. The only difference is, that should they say this to Mr P. he might say I guarantee, this, so and so - This however he has declined : : : in my case — I make these remarks, for the purpose of adding what I know would be gratifying to Mr P. and that is, that the Department, should address him, direct, and say to him, what they desire him to do, — This would relieve the difficulty entirely — Then his assertions and Statements, would have their full and due weight with the Government. There are two Courses which suggest themselves to my mind, one is that the instructions (in Conformity with Genl Hamiltons letter, to Mr P. or otherwise, as your Excellency may determine) shall come to me) Should they not already be near at hand) and Mr Pakenham receive a Copy of them, at some time, with your request, through the State Department, requesting his good offices, in my behalf to carry views and wishes through to an issue, and that Mr P. be further requested, that if he can act in the premises, more efficiently with this Government, than I can, in Consequence of his official character, and Consequent-influences, then, he may Consider the instructions given me as to him and he may act with my knowledge and Concurrence as we should not probably disagree), in this case if my Credentials Came, as I take it for granted they will, I do not see that they Can in any way, refuse to Confer and treat with me directly, and in this case

I should always, have the Counsel and advice, opinion and Co-operation of Mr Pakenham, whom I should of course Consult, or, if the Government or Your Excellency, desire, or prefer to authorize Mr P. to act directly and Independently, these instructions can go direct to him, and you will then please inform me how far my instructions are Cancelled or Superceded by those of Y. E. to Mr P. or if I shall act jointly with him in the business.—

Have only a moment to Subscribe myself, in haste I with great Consideration Your most Obedient and Humble Servant

(Signed) James Treat

To
M. D. Lamar
Austin Texas

(Private)

Mexico Febrwary 8th 1840

Sir, I beg leave to refer you to my Short and very hasty letter of the 1st instant, Covering a manuscript Copy of the Contract, between the English holders of Mexican bonds, and this Government, and also, a Copy of the decree of Congress, Confirming the said Contract, to which, I then called your attention, and suggested, that, the document, was well worth, a translation and an examination.— According to my promise, I now enclose you the instructions given, given, by the President in Council, to the Agents in London, for their Government, in carrying out the provisions of the Contract, and the decree of Congress, which you will find Comprises 24 Articles, which Complete the document.— On a hasty perusal of the whole paper, the impression was clear on my mind, that by the Contract, the Bondholders of the Converted Stock, had the Govt guarantee of 100. 000. 000 of acres of lands in the Departments, cited in the 7th Article of the Contract, first clause, and this guarantee, was to secure the final total payment of the principal and interest of both Clases of new Stocks; and in case of Sale, to be at $1. 25 the Acre, and proceeds, to be paid, to the Bondholders, in Europe. This, I thought then was the obvious reading of the One hundred Million Clause, a more close examination, however, leads to a different Conclusion, or interpretation.— The 100 Millions, in some one or more of the departments named, are undoubtedly hypothecated, but any part, or the whole of any one, of these Departments may be disposed of, Ceded, or Sold, and the proceeds, appropriated, as this Government pleases, so long as they have 100 Millions of Acres remaining, in any of the said Departments, the hypothecation is Complete, Here, or there, are your 100 Millions.— This interdiction, can be given, whether intended, originally or not, because no one Department is named but five, in either, or any of which, the 100 Millions can be considered as located, for the security of the bondholders, & the benefit of the same, in case the last 100 Millions, should be encroached upon— again= in the same Article 7th of the Contract, in the Second Clause, the 25. 000. 000. of Acres, are expressly reserved, or Specially hypothecated, and to be fixed in a future decree of Congress or Government, in the departments of easiest Communication with the Atlantic and best adapted to foreign Colonization these said lands, are especially and exclusively appropriated to the deferred or passive Bonds (being one half of the whole debt, and to bear no interest for 10 years) in case the holders wish to exchange the bonds for lands, and if the Government should sell them (the 25000000) the proceeds would be appropriated to the redemption of these bonds.— You will perceive that these 25. 000. 000, are to be located by a Special and public decree, which is not yet given, and probably will not be, but should it, the Government have the option to fix the 25. 000. 000. where they please, any one of the States, it does not say in

right of the whole Republick. It therefore appeard, that no part of Texas, properly, nor any portion of land, East or North of the Rio Grande, is absolutely hypothecated to the Bondholders, and of course, they are not entitled to any proceeds arising from sale Cession, or transfer. This, may, even be, the intimidations of this Government, if they please to do so. When persons present themselves, here, with the deposed bonds, and demand a location, under the Contract, & have referred to, then the Government must say where, they are to go. 'ripay' this specific order, or decree, None have as yet appeared, yet that Mexico, and it remains to be seen, when they will. My impression is, that the Government had an view, the Lands between the Nueces & Rio Grande, to locate the persons or to place the settlers: how they will proceed, now, or when the time arrives for them to act, I cannot say, Thus you have my views of the important claims, of said documents, but if you have a careful and intelligent Translator in the State Department, you will find the whole, perhaps, worth translating, all which is respectfully submitted.

I remain with great Respect and Consideration

Your most Obt Humble Servant

(Signed) James Treat

To

Gen. M. B. Lamar

Texas

Confidential

Mexico February 15th 1840

My Dear Sir — I have the pleasure to wait on you, with the enclosed duplicates, seven, in number, being, (with those already transmitted,) Copies of all my letters to you, except one of the 7th inst, accompanying, and explaining, three Copies of letters, written to the Secretary of State Mr. Canedo, one of which, only, had been sent him, up to the above date. — Duplicate of this letter and the accompanying papers No 1 to 3. I shall have the honor to transmit you, in eight days, together, with, other Copies, of same Character, all which, shall then, be explained at more length, as by this days post, I have only time to prepare this dispatch. — Hereafter, my duplicates, shall follow their originals, more promptly, and regularly, than before. — as the season is advancing, and the weather becomes milder, my health, is better, and I shall not have, I hope and trust, this difficulty to contend with. — The copies, I send you herewith, were taken by a foreign gentleman, a friend, who is entitled to my entire confidence, The originals, were all written in great haste, and Confusion, when my health, was quite indifferent, and I therefore claim, your indulgence, for the matter, as well as manner, of their contents and execution, with the copies, I trust, they will be found intelligible —

By my late advices, up to the 8th Inst it will be seen, how, I threw blood, with the Government, or the Secretary of State. It is now fully obvious, that the vacillating Course of the Secretary, and his determinations of one day varied, or changed, the next, all have had their origin, in the desire of this gentleman to avoid any official Contract with me, as your recognized Agent, hence, the notice taken of the omission of my Credentials (all the this was rather to have been anticipated under all the circumstances of the case) and hence, after repeating, to the plan suggested, of considering Mr Pakenham's letter, which as proposed, would have been an official Communication to the Secretary of State, assuring him that he Mr P. was entirely satisfied with the validity of my appointment, and that any thing, I might propose, within the limits of my instructions, would, in his opinion, be ratified, by your Government, if adopted and ratified here, — whilst I was led to suppose that this assurance from Mr P. would be amply sufficient, to relieve me from the want of my Credentials, until they should arrive, It resulted at the next interview, that the Secretary seemed to expect, that Mr P. was prepared to bring his Government to the ratification of any

arrangements, all no doubt, to avoid, the responsibility of meeting me. A sort of arrangement, was then proposed by Mr P. that my Communications, to the Secy. should go through Mr P. who would be responsible, or vouch for them; as respected in the business — This latter arrangement, had been, previously, arranged between Mr P. and myself, in case of necessity — Wishing to bring him to this arrangement, before he should again, change his mind, I addressed him a short note (Copy of which, with others I will transmit, in a few days) in which I expressed my regret, that the Guarantee required, of Mr P. was not such —— as I thought, he could with any propriety give, and assenting, to his, plan of receiving my written Communications, promising him, that I would in a few days, address him, at length, conveying the views and feelings of the Government of Texas, as regards the matter under discussion, as we had verbally agreed upon &c &c. On Mr Pakenham's delivering the Secretary this letter, he again became inquiet, and said that Mr P. had misunderstood him, that Communications signed by me (tho simply with my name, and without any title of Agent &c, was what he wished to avoid, as, this would be, to treat with me as Agent, and altho he was personally and individually, satisfied of my appointment and powers, yet I had presented no Credentials, which, would justify him, as the organ of Government to open a discussion with me, on the important objects of my mission — But that he had intended to say, that Mr P. might hand him any paper or Communication, he pleased touching the the matter at issue, and that he would receive it, and place it, before the Government for their knowledge — The Secretary adding; these Communications of course, will be without Mr Texts signature, and I shall receive them as from Mr Pakenham, &c &c. — Notwithstanding all this, the Secretary, retained my letter, duly signed by me, and officially addressed to him as Secy of State; and, on yesterday, I handed Mr Pakenham, my exposition, (essentially a Copy of that sent you under date of the 7th inst; and exact Copy of which, I will send you, in a few days) but, that the Secretary, should have no pretext for returning it, either, before or after personal perusal, it was thought best that it should not be addressed officially to him, nor should it bear any signature at all — Mr P. would present it yesterday, or to day, and we agreed, that he should (the Secretary be allowed some days, for the examination, and translation, before, we again approached him on the Subject, as it was desirable, that it should be laid before the President and Cabinet, and, have their Consideration, and deliberation — Mr P. thought, best to shew this exposé to the Secretary for the Home Department a man of intelligence, and influence with the President, before, handing it to the Secretary of State — I shall not see Mr P. until tomorrow, to know, what, if anything the Secretary, may have said, on its delivery — I take it for granted it will be received, but what effect it may produce, time must shew ——

Thus, Sir, I have given you the facts of the case, and how this very simple matter of approaching the Mexican Secretary, has been prolonged, and trifled, about by the fears and apprehensions of a timid and vacillating (tho very Gentlemanly) personage, at the head of foreign affairs in Mexico. — You can Sir, draw your own inferences, from the statement already given, but should perchance, opinion, and review of the whole matter, be esteemed of any value, I will give it to you. — Yet the present Government or Cabinet, could not refuse, to hear me, in some way, or other, for they had authorized Mr P. before my arrival, to say, that if Commissioners from Texas, appeared, they should be heard. — Mr P. however, I only know very recently — and besides this, they were, no doubt apprehensive of the consequences of any direct refusal to listen to me, to shew Secretly — 2d. They are mercilessly, afraid, to have it known by the public, that they are entertaining, the subject of with Texas, while Texas are en

as they say to reduce Texas to order; and the opposition, and Santana's party would make a great hue and Cry, and the Members of the Cabinet might loose their places, in consequence— In other words, they, are too weak as a Government, to stand, any new Shock, which might fall upon them if they were openly to favor an arrangement.— 3d Consequently, while they are compelled as it were to hear, but, are obliged to hear Secretly, the Secretary is obliged to Shield himself and the President, and Cabinet, under Mr Pakenham's wings, so that If, the Secret, (at present) of my being here, with powers to make proposals, should leak out, and the Government, be called upon, to say, what, if any thing, they have done in the matter, they can say, they had nothing to do with the Agent, whose powers, were not Complete, but that some overtures had been made by Mr Pakenham, to whom they were obliged to listen, as he had been directed by Lord Palmerston, to make inquiry, as to what, this Government intended to do &c &c. and thus cover themselves, from the effect which the opposition would endeavour to produce, against the present Ministry. Knowing this to be the dilemma of the Government, I have been disposed, to assent to every, thing, that has been required, and go for my first main object, that of placing before them, your views, and compelling them, thus to give ear, to your views and wishes.— of Course I would not, under such Circumstances, Stand upon any matter of forms, which would Stand in the way of a hearing of my Case.— So far them I have succeeded in my first object— In speaking of the opposition party, that is, the leaders of the Federal party here, opposing this administration, in any amicable arrangement, you must not understand me to say, they oppose the Texas question or any part of it, on its merits; but they stand ready, to pronounce upon, every thing the Government do, to render it unpopular, and, endeavour to bring about a reaction, and they would of Course, avail of this Texas question, if they could, to excite the popular feelings, against the Ministry and President, and if possible, would hurl them from the palaces, while, the moment, they the liberals got snugly in place, they would no doubt treat in earnest, with Texas for some arrangement. I am, most thoroughly satisfied that General Bustamente, and the whole of his Cabinet, are entirely Convinced, that they can never re-Conquer Texas— and that, so far as the good, of the Country is Concerned, their best policy would be to recognize, at once, settle all pending questions, and secure the indemnity now proposed.— But as the men in power are acting for themselves and their continuance in office, and under party views, and dictation, the present or future good of the Country, is the Secondary Consideration, but not the first, by any means.— The present administration, is not, very secure.— They have been in power, now six months, and, in my opinion, it would not be strange, if they did, not Complete the year.— Yet there is no such thing, as calculating, in advance, on any thing, they are so Changeable, and there is so much open Corruption, and demoralization, in all ranks of Society, that mens opinions, are any thing but fixed, they may be what you please to day, and tomorrow, Converted, allies, Corrupted, notwithstanding this unfavorable picture which, does not look, like a prompt, or favourable result, to my mission, I still hope, that, the Convictions of the Government, will be so strong, in favor of some arrangement, that they may yet venture to enter upon some Stipulations, very secretly, and trust, to their future increased Strength some months hence to let them Come to light.— Some favourable Conjuncture may give them Courage, and if frightened a little, on the score of Consequences, they may Consent to do Something.— As regards, the matter of the Bonds, and the real Stipulations between the holders of the New Stock, and this Government, I beg leave to refer You, to my two Despatches, of 1st and 8th instant, both covering this Contract, Law of Congress, and the instructions of this Government

which, when you have them translated, together with my explanatory remarks s
be, no doubt be well understood, by yourself and Judge Burnet — In relation
Mr Pakenham, I Confirm all I have before said in favor of his good offic
and Valuable services — He Continues to desire to do all in his power, to aid me,
in my plans, and to urge upon the Government the necessity, of adopting th
Course, in regard to this business — He admits, that of right, the Bondholders
would have no Claim to the indemnity, which might be paid to Mexic
for the Independence of Texas, but at the same time, would be most happy
if he Could obtain this amount for them, in case, any arrangement is entered
into, as Contemplated by Texas; — This alone would Stimulate him, together
with the Credit he would acquire, as mediator, or intervenor, in the Negotiation
But Independent of these Considerations, he really seems to be devoted, to
bring about some favourable result, to my Mission. — Mr Pakenham, him
myself agree, that to open any negotiation, in London, or transfer to tha
City, for Conclusion, anything, that may be commenced here, would be very ba
policy, as it might, and probably would procrastinate the negotiation, almost
ad infinitum particularly if this Government desired to prolong the questio
and any Change in the Government, or even in the Ministry, would require
a renovation of powers — and, on any point, on which, their Agents might not
be fully instructed, he might merely to gain time, wait for further orders,
and thus the matter be kept open, until you should be tired of waiting for any
result. — The Mediation of Mr. P. is very well, and advantageous, here, and it is
here, or, at New Orleans where the matter should be begun and finished. — Comm
=ence, and fix upon a basis here, and, let their Commissioner proceed to New Orlean
to fix any of the details, and exchange Ratifications. — This is decidedly the
best Course, in my opinion, Should I succeed, in getting them to enter upon any
arrangements. — all this may be quite premature, as we may never reach, the
point. — But Should we, you here, have my opinion Concurred in by Mr Pakenh

I must, however, bring my present remarks to a close, at least for this Post,
although, much more might be said — Street, nevertheless that, I have said
enough in this Communication, together with my former, advises, to shew you
that, I am, devotedly, and faithfully engaged, in bringing, about, your wish
and desires, for the Interest of your Country, or at least to ascertain what, if an
thing, this Government, is disposed, and able to do. — whether I have proceeded,
in the Course I have thus far adopted judiciously, or not, I submit to your own
better judgment. — You will on receipt of this, know, exactly how matters s
Stand. — The Chances, are Still, much against my success, and still I hav
hopes, of obtaining something = getting from them, some propositions. — If in
a plan might be devised, which would soon bring this Government, to gr
a peace and recognition, in case they should now, entirely, refuse to agree t
any of your propositions. = I may Submit this plan, to your Consideration, i
a future day, for what ever it may be worth. — It might be, Considered, a
preferable to a mere armistice, if that should be all that this Governmen
is willing to propose. — I trust, that ere long, I shall be further enlightene
by your additional instructions rendered, now not only very desirable but
=most absolutely necessary, and especially, if you have adopted the views, Co
=municated, by Gen. H. to Mr Pakenham as regards, an armistice until Apri
1841 Conditioned, that this Government, meantime agree to negotiate a pea
Recognition and boundaries. — Pray my Dear Sir, give me your further
full views, and wishes, when you send my Credentials, or if not done a
immediately on receipt of this. — I have not had the full Conversations
promised myself with Mr Pakenham, but shall next week, and will
report the result. — I have not received a Texian Newspaper, or letter
my arrival here. — I, availin
most

New Orleans, at Vera Cruz, which Samuel must bring me something from you.— I hope my request about funds, will have met your sanction, and that I shall soon be so apprised.— I remain with great respect and Consideration, Your Obedient Servant (Signed) James Treat

To
Genl. M B Lamar
Texas

Confidential

Mexico February 21st 1840

My Dear Sir.— Under date of the 7th Instant, I had the honor to address you a communication, covering three papers, No. 1 to 3. being copies of letters, sent, and intended to have been forwarded, to Mr Cañedo, Secretary of State; with such explanations, as I deemed necessary, to a correct understanding of the position of things here, and the motives, which, induced said communi=cations; all which, with my subsequent, and separate advices of the 8th and 15th instant. will give you the minute details, of this part of my proceedings, with Government.— I have now, the honor further, to wait on you, with translations No 4 and 5. and copies No. 7 and 8, which will complete my letters, thus far, to Mr Cañedo.— And I beg leave, to adopt the same course, in transmitting, to you these papers, as, when I forwarded, the first three of the series— viz. that, of brief explanatory comments, on each, for the same reasons, given you in my former letter of the 7th instant, to which, and documents enclosed, I beg reference, in connection with this letter, and its enclosures, No 4, translation of a private letter to Mr. Cañedo, which will mainly, explain itself.— I was restricted, by circumstances of policy, from saying much in my letter sent to, and received by, Mr. Cañedo, marked No. 2. (It being substituted, for my own, marked No. 1.) and I thought, that as private, friendly, letter, in which, I could say what I pleased, without, compromitting, Mr Cañedo, as Secretary, would, or might produce a good effect, and in no way, do any harm.— It was well received and verbally acknowledged, through Mr. P. with satisfactory reasons, for not giving it a formal reply.—
No. 5. Translation of a private letter to Mr. Almonte, which, in like manner, may, sufficiently explain itself.— But, permit me here to remarke, as regards this Gentleman, that, I had made two passing, attempts, to obtain a general and friendly interview with him, which he had avoided, and I knew, he would, as a Member of the Cabinet, know, all my movements, and doings with Mr Cañedo, and the Government.— Knowing, moreover, that he would be opposed to my objects, at least, at the commencement, and in proportion as he found this opposition, met with the support of some of his colleagues, and the concurrence of the President, and further, being informed, how far, he had committed him=self, with Congress, in sending down from his department, the Initiative, of ways and means, to carry on the war, against Texas; and the other project, declaring it Treason, to talk, or write, in favour of the views of Texas, or, in reference to the dismemberment, of the Territory; I say, aware of these things, and fearing, this influence, I wanted to do, something, to conciliate, and please him, and my letter to him, which I thought could do, no harm, (even if he exhibited it) and might, soften him down a little.— To it however, I have received no reply whatever; perhaps, because he is still committed with Congress, in the passage of the above laws, which, are both, still pending, and drag heavily along, in the Chambers; or it may be, because, he means to stand entirely uncommitted until, he sees, what course, the Government, and Congress, will probably take, as regards the Texas question, generally.— No. 6. Is copy of a letter, I had surprise, to follow up the course, opened to me, (as I then supposed)

by the personal interview, I had on the 1st February with the Secretary, not doubt but Mr Pakenham, (as he had agreed to do) would remove the difficulty, of absence of Credentials, as would have been the case, had not Mr. Bañuelos changed ground, and discovered, that it would be very convenient to him, as well as the Government, to avail of the circumstances, of my not having the usual credentials to avoid further direct communications, with me, as Agent, and thus throw all the responsibility, on Mr Pakenham— No 7. was adopted, in place of the above written official form, and duly signed by me, with my own name merely, and, notwithstanding, on handing it open, to Mr. P. for delivery, he said, he did not think, it would be received, because it was signed, by me, I desired him, to try it, and if rejected, on that account, he might withdraw it, without throwing any new obstacle in the way of my primary object, viz, that of placing before the Government, the views of Texas, as drawn up by me and already transmitted to you.— This letter was received, notwithstanding objections were made, which shews, that the Secretary, does not always, think, alike, on these points.— No.8. was written for the purpose of giving an official, form, and Character, to my Exposition; but on handing it to Mr Pakenham, for delivery, or transmission, he was so strongly, of opinion, that the form of the Communication would cause its rejection, by the Secretary, that, I was (very much against my inclination induced, to alter the form, and hand the paper, without address, or signature, and merely dated in, Mexico February 13th 1840.— Mr Pakenham accompanied it with an official letter, recommending its contents, to the particular consideration of the Government.— Nothing since has occurred between us, and I felt quite willing, they should take a little time, to translate, and consider it, on the part of the President, as well as, the different members of the Cabinet.— In the mean time, I have persons in my confidence, who can approach them all, as opportunity offers, and remove the rough and wiry, edge, of their first-impressions, (which are apt to be, most alarming) on the subject.— If the Secretary, intimates, a wish to receive the propositions, to which all this tends, they shall have them, after due Consultation with Mr Pakenham of course.— If the Government, chose to rest here, for a while, I may find it very convenient, for in the mean time, I shall not be idle, in bringing such influence, to bear, on parties, as shall be calculated, to produce a good effect.— They are slow, on this a frightful subject.— Let them become, a little more familiar with it, and let Congress, Reject the two projects, before them, and I shall hope, then, for some action,— some approximation, to the subject, and perhaps, something like, a disposition, to arrange the matter, on some reasonable basis.— Meanwhile, I still remain unknown, to the public, as having anything to do, with the Government, or with Texas; and this, enables, the Government, to weigh, and reflect, upon, the question without any interference, on the part of public out-door opinions, or, the criticisms of the Press.— All which, is very respectfully submitted, in the hope, that the course I have adopted, thus far, may meet, with the favorable, Consideration of the President and his Constitutional advisers.— I Remain Dear Sir, very respectfully, Your most Obedient and Humble Servant.—

(Signed) James Treat

To/
Genl: M B Lamar/
Austin Texas

Private

Mexico February 22nd 1840

My Dear Sir.— I have nothing of moment, by this Packet, beyond what you will find in the accompanying Communications.— I have a long, and satisfactory letter, from Genl Hamilton, dated 3rd January, which, I have replied to, at length, on the 25th again address him, whenever I can

I am most anxiously awaiting To hear from you, or the Department, as, if Genl Hamiltons, suggestions, & recommendations, both to Mr Patenham and myself, are in accordance with the views of Government, then, of Course, I must expect new and corresponding, instructions, from you, I hope and trust, it will not be long before I shall have the satisfaction to receive them, at length. — I need not, again call your attention, to the Contents of my several late dispatches, and the request, for any full Credentials, and further instructions, as I doubt not, they will be on the way, ere this, reaches You. — I have heard, very recently, that, the plan of Government, is, to place, on, or near, the frontiers, from 5000. to 10.000 men (as the best can) in the expectation, that, they can then, negotiate, on a more advantageous footing and, obtain, better Terms, and Conditions, than they can now, except. — I should not be supprised, if they should, desire to do this, but, their ability to carry out the project, on the score of means, I doubt, very much, even, if Congress, sanction the measure, which, at the present, moment, may, perhaps, be questioned. — If I find, this idea, well grounded, I will further, advise you, and in the mean time, I only mention it, as a rumor, based probably, on the wishes of Government rather, than, any fixed determination. — For my own part, I do not believe, they have Come to any determination, whatever, on the the general question of Texas — When they overcome, their first difficulties, that, of making up their minds, whether, they can safely take hold of the question, in earnest; and decide how, this, delicate matter, is to be approached, with safety to the popularity, of the Cabinet, and President, then they will decide, what will best suit, their purposes, Then they have to depend on Congress, for means, to prepare for hostilities, if that be their course, which, it will be difficult for them, to obtain. If they are disposed to treat, in sober earnest, then they will require, the authority of Congress, to negotiate. If, as I hope, they precisely come to the latter determination, I think Congress, will, grant the powers. — If Government are so timid, that, they are afraid, to ask, openly, for powers, to negotiate, then we must bring out the propositions, from some anti-administration source, and let enough of the Government, in each House go for the measure, as, with, our friends, will carry it through both branches. — To some one, of these results, the matter will probably Come, sooner or later. — This, is my own impression, at present, From Canales, we know, nothing certain, the accounts place him beyond the Rio Bravo. — Arista is, with about 1000 men, at Monterey — Canalizo, with some 1200, in Matamoras — and Ampudia, has, say 600, in the same Vicinity; make about 2800 Troops, say 3000. — Two thirds, of this force, might march to the del Norte, in pursuit of Canales, put matters right on the frontier, and be on the spot, in readiness to form the Nucleus, of the new invading Army; or the division, to alarm Texas, into a liberal peace, and perhaps, restricted, boundaries; that is, if they can carry through, the views, attributed to them. — Where the money is to come from, I, know not, even to maintain the forces already there; and the Senate, has, on the 17th inst, rejected, the bill from the House, asking for, provisions, and means, to enable the Government, to restore Texas, to the national union. — It will perhaps, be modified, in the House, and if it obtains a two thirds vote, it can return again to the Senate — otherwise, not — we shall see. — The French Minister has arrived, and was received day before yesterday — His name is, Baron Alleye de Cyprey. Mr De Sicilla, is indisposed

I remain, Sir, with regard and Consideration, Your Obedient Servant —

(Signed) James Treat

To/
Gen M. B. Lamar
Texas

Confidential

Sir. — Mexico February 29th 1840

I have the honor to enclose you, by this days Post the following duplicates, viz, duplicate of my respects of 7th instant, covering

duplicate copies of papers, No 1 to 3. inclusive* and, duplicates of my last two communications, under date of 15th and 22nd inst, to all which I beg leave to refer you, in case their originals, respectively should not have been received. I send the above, with this letter, to Vera Cruz, by this evenings Post, but, it will depend on circumstances, whether, they all go, in one, or, are divided between two different Vessels, bound to N Orleans, and, they, will complete, the duplicates of all my letters, up to, the present date. I am still, without any advices from yourself or the Department, tho, I am daily expecting them. — I learn, indirectly, that D Ritchie, had received my dispatches, up to 20th December, previous, to 13th January - and I trust my subsequent letters have all, arrived, safely and promptly. — I regret that I am not able to report further progress, in, my affairs, since my last of 22nd Instant. — All we know, is, that my exposition has been translated, and submitted to a Cabinet Council, and still remains under the consideration of the Government without, any reply whatever to Mr Pakenham. — I presume the Government have been very much occupied, on business of preference, as they have received news, from Yucatan, and other parts which, is unfavorable to the continuance of tranquility, in that Department. —

Mr Pakenham will press the Government, to an early decision, on his own account, as he is, very desirious to transmit, some determination to Lord Palmerston. — I presume during the coming week, we shall hear something from the Secretary. — The advices from Yucatan, above refered to, State, that the revolution, that has been on foot there, for some time, is making serious headway, and it is feared, the whole department may concur, in the grito, for federation. — It is said that troops, are to be sent, from Vera Cruz, It is difficult, to learn facts, here, but the next arrival, will give us something decisive of the first movement, private letters speak of the movements, as views general. An, abortive movement, at Perote, and, another on the South Coast, shew, that, the Elements, are in commotion. — The death of General Cortazar, Governor, and Commandant General of the Department of Guanahuato, which, State, has always sustained its independence, and never bowed to Centralism, bears a vacancy, which, it is difficult for the Government to fill, without some disagreement, with the local, authorities and Troops. — a sort of rupture, between Arista and Canales, who were negotiating an arrangement, or an armistice. — and the continued labours of the opposition and Santa Anna's party - give the Government many unquiet moments. — I regret all these things, for they are all calculated, to fetter the hands, and distract the heads, of Government and, render, them more timid, as regards, our affairs. — The measures before described, still hang in Congress. — The Texas, bill, has not yet been called up for discussion, since the Committee of the House, withdrew, their report, and changed the tenor of the Contribution. — The bill declaring it treason, to advocate, the rights of Texas, and that abridging the liberty of the Press - are both still pending. The fate of all three of these measures, may be considered doubtful. the two, latter, the Government will not press, the former they would like to carry as it would give them means, though it is doubtful, if much of the amount would go towards renewing the war against Texas. I have heard nothing since my last, about the rumored project of sending 5000 or 10.000 men on to the frontiers. It has probably been forgotten in the Municipality of other matters, of more immediate Consequence. — It further stated, that D. Mnonte, is desirious, to go to London as minister, and Mr Canedo, will go to Washington, as Commissioner, under the Convention between this Government and the United States. — I should not be surprised, if both these reports should prove true, particularly the latter. tho I wish the former might take place forthwith, as his influence against us, would then cease, I am sorry I have nothing of general interest to communicate, But, so it is. I hope in my next, I shall be able to say something more cheering. The French Charge Mr De Saille will be obliged to leave, sometime with the New Minister. Very Respectfully, Your most Obedient Servt

Genl. Mr D Samaniego.

*ads. Duplicates of my respects of 21st Inst Conveyg Dupts. copies of papers Nos 1 to 3 inclusive

Confidential Sir! Mexico March 25th 1840

My last Respects, were under date of 29th Ultimo. Copy of which, I have the honor to hand you, herewith.— I am aware, that I have suffered an unusual period to elapse, since I last had the pleasure to address you; but I had previously written you, so often, and so much; without being able to communicate, any thing more, than any preliminary, movements, conjectural progress; and such general, information, as I considered most important, and authentic; that I had resolved, I would, await, until I could say something, more definite, or perhaps, more satisfactory.— But you will bear in mind, that, these, are a very slow people, and that my business, is not, commonplace, but difficult.— Before I proceed to fill up, the vacant period of my Report, to the present time, permit me briefly, to dispose of some of the principal Topics referred to, in my last respects, that you may better judge, of the general situation of the Country, and the position of the Government, both which, have, an important bearing, on all the leading measures of the Government, and especially, on the Subject, which, alone, claims, my attention.— The Revolution of Yucatan, has gone through the whole, peninsula, or departament, with the exception of the City and Port Campeche, where the Garrison, and people, shewed a disposition to defend themselves, and even March against the Revolutionist, at the Capital of Merida.— our most advices, will inform us, whether, they have surrendered, are besieged, or have made some peaceful arrangements.— The motto of the Revolution=ist, is, federation, under the old Constitution, until amended by a Convention.— Four hundred Troops, have embarked from Vera Cruz, but no information of their arrival, has been yet received.— They may be, intercepted, as it is said, the federalist have an armed brig, off Campeche.— The smaller movements on the South coast, continue, and particularly, at cuernavaca and Yelaya, a Town in Guanahuato, the extent of which, is not exactly known.— Canales, is organizing a sort of Convention, in which all the States or departments, are invited to be represented on the 1st May, of course they must first throw off the Central Yoke, by a Revolution.— The bill, so long before Congress to provide ways and means to restore Texas to the union, was finally lost in the Senate a few days since, by an almost unanimous vote; two thirds, and two more, having voted Contra.— The Bill against the liberty of the Press, was submitted to the Supreme Court of Justice, for their opinion (which they some times do, in important matters, although, their opinion, has no binding force, on Government, or Congress) and they were unanimously against it.— It remains to be seen, whether, Government will still, press it, upon Congress.— The Bill, declaring it Treason, to talk, or write, about the dismemberment of the National Territory, or promote the views, and interest of Texas, still, lies dormant, and I presume, never will be recusitated.— I have now, reason to think that Mr Cañedo, the Minister for foreign affaires, will not, abandon his situation, at the head of the Ministry, for any foreign Post.— Three appointments are to be made, for the United States, viz. a Minister, to supply the place of Mr Martiney Pizarro, deceased; and two Commissioners, under the Convention of indemnity of the latter, one only, is appointed, Mr Pedro Fidel Castillo.— Thus you see that the Government has its hands full, in the direction of the domestic concerns of the Nation.— The President, and Cabinet, as well as many of the men, in Congress, and the other departments of Government think, that, peace and internal tranquility are the first things, to be attained, and, that it is justifiable to violate the Constitution, and commit obvious, tho, perhaps temporary, injustice, to attain these objects.— Their promises, for reform, and improvement, are ample, but they are slow, in the execution of them.— The other party, called Federalist are divided into two, one the moderate, and amalgamation party, and the other, the exalted (Exaltados) or violent party, who would destroy, the Ecclesiastical party and influence at a single blow.— The leader of the former, is Pedraza, and the latter, Farias.— Yet both are called federalist, and liberals, and belong to the opposition, or progressist party, now, so called.

Here you have, the leading parties, in the Country.— As regards Santa Anna, he has a small party, only, and is content, to oppose the Government, without either

the other parties, being willing to adopt him, as belonging to their creed, and principles— always likes to belong, to his own party, where he can control, and when not, goes on the strongest side, where he can promise himself, the most influence, or remains neutral.— Under these circumstances, you will readily perceive, Sir, that my progress, must necessarily be, comparitively, slow.— Still, some slight advances, have been made, since I last reported, which, I will detail in another letter, to accompany this.— I will here, add, that, I am still, without any advices from yourself, or the Department of State, which I am most anxiously and daily expecting.— On the 16th Inst. I received from Col Love two letters, dated 8th and 12th January, forwarded me by Dr Richie, from New Orleans under date 1 Inst. being the only advices, I have, from Texas, since my arrival here. They were brought by the Creole, arrived at Vera Cruz 11th Inst.— The U States Revenue Cutter, Woodbury, arrived just before, in four days from New Orleans, and sailed again, forthwith, without my knowledge.— She brought nothing, but dispatches for Mr Ellis, and took away the ratified, Convention.— This latter, is the only Vessel yet sailed from Vera Cruz, for New Orleans during the present month.—

Refering you, to a Separate Communication which I shall address, by this conveyance— I have the honor to be, with the highest Respect and Consideration your most Obedient, and very humble Servant.

(Signed) James Treat

To
Genl. M. B. Lamar
Austin, Texas.

Confidential

Mexico March 27th 1840

Sir.— Refering to my respects of day before yesterday, I now proceed to inform you, of the progress made, in my affairs with the Government, since my last Report, under date of the 29th ultimo.— I have before remarked, that it was deemed good policy, by Mr Pakenham as well as myself, to give the Government, ample time Consider, and reflect upon my exposition, without pressing the Secretary for any response, believing (what has since been verified) that, the longer they had it, under their Consideration, the greater effect it would produce on their own minds, and the greater opportunity would be afforded them, to enlighten themselves, on the general question, by Consulting their friends, out of doors, and becoming, more and more familiar, with the subject, which, in the first instance, could hardly be addressed, so extremely a delicate matter, was it almost, universally Considered.— For the above reason, and, because, the Government have been much occupied, with the unquiet, State of the Country, and an expected movement in this City, which caused the guards to be doubled, and the troops under arms, for some weeks, or ten days, there has been greater delay than I wished for, or anticipated, altho, I am well satisfied, that this delay, has produced some good results, as, Mr P. myself and friends have not been Silent, nor Idle, on the question at issue, and some changes of opinions, have been brought about favourable, to an amicable and prompt arrangement. The opinion of the President (wholly opposed to Recognition but would perhaps assent to an Armistice) and in like manner, the ballance of the Cabinet, will Almonte to any immediate action, and probably wishes to negotiate at the head of an Army.— The Secretary of the Interior, reserves his opinion until he informs himself further, and the Secretary of the Treasury, having no opinion of his own, on this subject, will be governed by the majority.— The Secretary then informed me, what he had done, to secure for my Mission a full Consideration, and perchance, some result, that should appreciate the wishes of Texas.— He had, further Consulted the opinions of distinguished men, of the Councils of Government, others, out of office, and written out of the City.— That, he had found some, Concur with him, willing to do something, less, than Recognition; and to any, arrangement he had

(2) for an omission Vide p. 2nd Sec Page 406

be done.— as regards Congress, he said, no calculation could be made, with any degree of Certainty, how they would act, if any proposition, touching this matter, was placed before them.— if it eminated, from Government it would be Certain to be opposed by the opposition, that he had, laboured much to keep the subject open, and give it all the impulse he could, but, that as the Cabinet, was a sort of limit, he could, only, by his own personal, and official influence, and —savour to gain, in favour of the general question, sufficient supporters, to justify the Government in acting on the subject, whenever public opinion should be prepared for the Question= Shall we surrender Texas;.. That, in consideration of this state of things, and other Considerations of similar bearing, all which, he had stated, very fully, and very frankly, and, as I think, truly, he was free to say to me, then, that he did not believe, the Government Could, or would, accede to the main question; Viz Recognition.— That they had no objections to do, something, towards, your wishes, and prevent hostilities, until the time should come round, when the Government could act, with more freedom, and Certainty of success, and when the public feeling, would justify, an open, public, negotiation.— Said something, about an armistice, and the willingness of Government that the actual state of things might Continue, but without the surrender formally, of its Sovereignty.— So much, for the Secretary's friendly and Candid expose, which, I viewed, as given, with great frankness, and, in all good faith.— Had his objects been, sinister, I am quite sure I should have discovered it.— He closed on his part by saying, that in his opinion, the time was not far distant, (he could not even intimate when) but he would say, not far distant, when the existing difficulties, might be removed, and the question be entertained, with a very great degree of Certainty of success. He then said, that he should be glad to receive my propositions— that, of Course I might ask or propose, whatever my instructions authorized without regard to this Conversation— that he should do all he could, Considering his position, to promote the object generally; but, that it would not, do me, nor the question at issue, any good, for him to insist, on any particular, point, beyond those, which, might be agreed upon, by the Cabinet.— whose unanimity, was desirable, on any points, that might finally be adopted.— That, I might Consider myself, fully authorized to Call and see him, whenever, I pleased, and if I wished a long interview, to send him a note, and he would appoint a time.— I do not Consider, my remarks, on this occasion of much importance, and Especially, as I was for the most part, a listener.— Suffice it to say, for the present, that Considering, his whole Communication as entirely, and, beyond question, a true and Candid Exposition of the real State of the question, and its difficulties, I, of Course, gave it my assurance Credence, and so far as I had any occasion to speak, manifested a Corresponding, personal, frankness and Confidence,— Having no secrets, myself, I could not Confide any, to him, but I said, in substance= That= the Views of the Government of Texas, as I had conceived them, he had generally before him, in my Exposition= That, this matter of peace between the two Countries, involved, of Course, Recognition— that, I had hoped to find, the Stabilities of the Government, and the State of the Country, such, that the question Could be taken up, at once, and discussed freely= and that, the popularity of the Government, and the Ideligence of Congress, as well as public opinion, would support the Executive, in any honourable and advantageous, arrangement;— That the question, with the people of Texas, as well, as the Government was a very simple one,— They= had been Several years in quiet possession of the Country= had extended their jurisdiction over that part, which they now claim, had Established their Government, on a Solid foundation;= had been acknowledged by two powerful nations= and her resources, and means of defence, as well as offence gave her full confidence, that she could, defend, all She now asked for, from Mexico.= Under these circumstances, she had Come to Mexico, after long forbearing to do any thing to weaken Her

claim on the Mother Country for peace, and proposed a liberal indemnity, for Recognition, and the only rational, or permanent boundary, that can ever be adopted between the two Countries.— That, I was sorry to find, there was not power, or fortitude, Enough in the Government Departments, to take the question up, as a matter of business, and decide it, at once, on principles of reason and sound policy.— That, I could well anticipate the disappointment, that the failure of my mission would produce in Texas &c &c.— But, that, notwithstanding, I would present my propositions, in behalf of the Government of Texas, and through the usual medium Mr.P.— I reported this interview to Mr Pakenham, and requested him to throw himself, in the Secretary's way, and furnish him an opportunity, to repeat, what he had said to me, which was done, and the same frankness and Candour, prevaded the whole Conversation, so that, Mr.P. considered the Secretary's avowal, entitled to full credence.— I Consulted Mr. Pakenham, and submitted to him, the propositions I had thought best, under all the Circumstances, to submit to Government, which he approved of, and Enclosed them in an official letter to the Secretary two days since, and was promised that they should have due Course; as, understood.— I have the honor to enclose you a Copy of the propositions refered to marked A for your information, and as I hope, approbation.— The object, in thus, reducing it, to a single proposition, was to test the main point, Viz, Recognition; and I considered it my best policy, to leave the two other points, blanks— Viz- boundaries and Consideration, hoping that the naked question of Recognition, (without a defination of boundaries, or naming Compensation) would stand a better chance of favourable Consideration, and perhaps prevent, a prompt and absolute return of the proposition, as wholly inadmissible.— Besides, Mr. Canedo Knows very well, and so does Mr Almonte (and if the rest of the Cabinet, do not, the Secretary of State, can, if he thinks it good policy, inform them) that the Consideration cannot exceed 4/2 or 5 Millions of dollars, and the limits required, are, the Rio Bravo del Norte.— had I filled up the blanks, I should have said four Millions of dollars and Rio del Norte. There are some Circumstances, Calculated to operate favourably on this main question, which, is the main difficulty— My friends who are at work (very cautiously) but with some effect, also report more favourably, as regards the opinions of others, and Mr Pakenham was informed by the Secretary (since I have seen the latter) that, even the President, had become more tractable, or less obstinate; and that, the Texas question had lost some of its terrors, at least, all which, is the result of time, in which, to think and reflect; for they are notoriously a slow people in every thing, and when hurried, of course, always go against Your Views.— Hence time, is indispensible, to effect any thing here.— Notwithstanding all this, I anticipate a return of, or answer to, my proposal, as inadmissible, on account of the alienation, of the sovereignty, of the Territory.— This, is, my own opinion, of course, mainly founded, on the Secretary's private opinion and Communication, to me, as well as other Concurring Testimony Circumstances.— The most I can reasonably hope for, is, that they may Suspend any decision, or absolute negative, and ask that, the blanks may be filled up, as, without that, they have not, in fact, the whole matter before them.— If so, I shall fill them up, as I have already Stated; Rio Bravo— and four Millions; as it be well enough understood, that four, means 4/2 to 5, in case there are no incidental expenses, attending the Negotiations, which, under any Circumstances, there must necessarily be, and probably heavy,— of Course, a broad Margen should be left, for this Contingency, Should it occur.— This, then is the present State of the question, and if, the propositions, as already made, or when amended by filling up the blanks, should be absolutely, rejected; I presume the Secretary will then present, some Counter propositions; Stating what they are willing, and perhaps holding forth, some prospects of future Recognition; and p

meaw time, an armistice, under certain Conditions &c &c &c—
In fact the Secretary himself did not Know, Exactly, what their views were,
or would be, on being discussed in Cabinet, but intimated, very generally,
something like the above.— These Counter propositions, whatever they may be,
I shall receive, and engage to foward or convey myself, to the Government of
Texas= altho, it may be, in violation of the letter, of a part of my instructions,
for I am sure it will not be Contrary to the tenor and Spirit of the whole—
This, done, I shall, of Course, rest, until, I have the honor to receive your further
Views and instructions, and shall be happy if they will enable me soon, to pay
my personal respects, to the President of Texas.— I am now, in daily Expec
tation of advices from the Department, which, will give me, such further instru
ctions, as may have arisen from a Change in your Views, for as I have before
remarked, the letters, from Genl Hamilton, to Mr Pakenham, before his, arrival
at, and Especially, since his departure from, Texas, shew Clearly, that, an
arrangement, would be now, agreed to, very different, from what my instructions
Contemplated, at their date.— The Mediation of G. Britain, an Armistice
of six, or twelve months, with an understanding that negotiations, should be
Opened in London or, Washington; were not the only points, then, to be secured.=
But, as, I must, so soon, now, from you, in reply to all my letters, and request,
it is useless, further, to Comment on these points.— Soon, very soon, after rece
iving these advices; I think, I shall be able to leave, unless, my instructions, Shall
otherwise, direct.— I shall not however, leave my Post, while anything, Can
be done, to promote the interest of Texas.— I am, however, very anxious, to leave
this elevated region, where my health has suffered and still is suffering,
much.— My general health, is quite good, but my Chest and lungs,
feel sensibly this, very peculiar Climate, and rarefied Atmosphere.— I must, close
in haste, as the mail is preping, and therefore, the letter referred to, at the
Commencement of this, as dated 25th Inst will not go, by this mail, but
by the next Post, as I have no time to finish the Copy.— It will however
I think, be in time, to go with this.— Very Respectfully,
and with great Consideration; Your most Obedient Servant—

To/
Gen M. B Lamar
Austin, Texas

(Signed) James Treat

A Copy

The Government of Texas, has duly authorized,
the following introductory propositions, to be presented to the Government
of Mexico, for its consideration, and determination.— To wit.—

1st The Government of Texas, solicits of the Government of Mexico, a Recognition
of Her Independence, with such boundaries, as may hereafter be agreed
upon, between the parties.—

2nd The Government of Texas, offers to the Government of Mexico in Consideration
the sum of Millions of dollars, to be paid, as may hereafter be agreed
upon, between the parties.—

City of Mexico, March 31st 1840

Private

Mexico March 31st 1840

Sir.— The enclosed letter of 25th inst, and the
duplicate within, I should have accompanied, my last respects of 28th
Inst, sent to Vera Cruz, by the last Post, but, I could not finish the Copy
in time, and hence, I send them herewith, by this evenings mail, and have
no doubt they will be in time, for one or the two Vessels, bound for New
Orleans, so that, both dispatches, will probably arrive, at the same time,—

Since closing my letter, on the evening of the 28th indisposition (arrising from a cold, taken by bathing) has prevented my calling to see, either Mr Cañedo, or Mr Pakenham, which I had intended doing, before I again addressed you, and to have added any thing new, or interesting, I might have gathered from either source.—" Had Mr Pakenham have had any thing of importance, he would have called on me, but not so, with regard to Mr Cañedo.—" I, therefore, can report no further progress, in business matters, nor do I believe, any step, has been taken, in the Palace, for several days, as the Changes in the Cabinet, now reduced to a great degree of Certainty, have no doubt occupied much, the attention of the Ministers.—"—" The arrangement, now on the Tapis, is, that Mr Almonte, Secretary of War and Navy, proceeds to Brussels; and Mr Cuevas, Secretary of the Interior shall go to St. James.—" These Nominations, will take place immediately, and if Confirmed (as of Course) their places will have to be supplied at once. There is much uncertainty, in regard to their successors, but this, I know, that Texas will have rid herself, of one of Her most bitter enemies here, and perhaps two; as Mr Cuevas has not yet declared his opinion fully. What we shall gain, depends, on who may fill their places—I do not think we can loose any thing.—"—" It is still asserted, that Mr. Cañedo, also, will escape from the Ministry, probably, to the United States, so soon, as he can fill the State Department, to the Satisfaction of the President.—"—" This, however, is decidedly, in opposition to his own assurances to me, that he would not accept of any foreign appointment, whatever.—" It is believed by some, that these Contemplated Changes in the Cabinet, are, the precursors, of a more liberal system, in the future policy of the Government.—"—" In, other, words—they find the Tension, to its utmost, and fear a Revolution; hence, a modification of their policy, to Conciliate, & thus ward off, or delay, the apprehended re-action.—"—" If the President fills the vacancies, in his Cabinet, by Federalists it will sufficiently Confirm this idea.—" The first Period of the ordinary Session of Congress, for the present year, expires this day; being three months, from the Commencement of the year. This ordinary is prorogued, for the purpose, of acting on sundry Special subjects, and among them, one which reads Thus—" To take into Consideration, every thing which relates to the restoration of Texas, to the National Union.—This, gives room for the further discussion of the subject, and we shall, if the Government move, see what Course they will now recommend, after having failed in all their efforts, for three, months, to obtain ways and means, for the War.—Perhaps some Member may be found, bold enough, to propose a Committe to examine the whole subject, and report their opinion, of what, the interest and honor of the Country require, in relation to this subject.—"—" I trust, ere long, I shall be in possession of your further wishes, and instructions, so that, I can close my negotiation, in some way, or other.—Until, I do receive them, I shall Continue making every effort, to gain as much ground as possible, for I am more and more satisfied, that tho' not now perhaps, yet ere long, the negotiation can be, carried through.—"—" I also hope that my repeated request for funds and also on the part of Gen Hamilton, who wrote to the Secretary of the Treasury in my behalf—will not have been forgotten.—A friend of mine, who has just called in: says, the city is ripe with rumors, of risings, among the troops.—A movement among the Military, to elevate Genl Valencia, to the Dictatorship &c &c &c. all which, I suppose will blow over like the thousands that have preceded them.—" Tornel will not be found in the last named plan; (and probably Santa Anna) if they really make a movement.—"—"—" I shall again address you, whenever I am advise of any progress.—"—"—" Meantime, I am very respectfully your Obedt and Humble Servant.—"—"—"—"

(Signed) Sam

Col Gen M. B. Lamar
Austin
Texas

Confidential. Mexico April 10th 1830

Sir:— There being no Vessel, at present in Vera Cruz, bound for any American Port in the Gulf, I send this, by tomorrows Post, to Tampico, through the kind attention of Mr Pakenham, hoping it may find and early conveyance, to New Orleans, and thence, to its destination.—

The main object of this Communication, is, to hand you duplicates of my several late dispatches, say, of 25th 27th and 31st ultimo, the Originals of which, with the respective enclosures, were forwarded to Vera Cruz to go per Creole, and Kathleen, for New Orleans (Sailed 4th Inst.) That of the 27th March, was in time, while those of 25th (with its enclosure) and 31st Ultimo, were three hours too late.— As it is precarious, when, an opportunity will again offer to send them forward, I hasten to transmit, herewith, duplicates, of those detained (as well as that, which was forwarded), for, altho, they are not very important, yet, without them, the Chain of events, is not Complete, and the narrative of my progress, is thus interrupted.— The threatened disturbances, of the tranquility of the Capital, and apprehension of some Military movements against the Government, to which I referred in my last, passed off, without any result, the Government having taken active, and timely precautions, and made some arrests, which effectually put a stop, to whatever, may have been Contemplated.— All now, is quiet and the Government stronger, and more secure, than before, in Consequence of this event.— Another event, of some importance, which will serve to strengthen the present Ministry is the defeat of Canales, by Aristas, at Morales, on the 24th and 25th Ultimo and, almost, entire dispersion (as reported officially) of his forces.—

It will probably be some time before Canales can rally and meantime, the Ministry feel themselves, safe enough.— Meanwhile, I have heard nothing further, in relation to the Changes, in the Cabinet, to which I adverted, in one of my last.— In proportion as the administration gains Strength, the less their hurry to get away.— Campeche, still holds out against the Revolutionists of the Capital (Merida) among whose leaders, dissentions are said to exist, which, may defeat their plan of reducing Campeche, and thus enable the Government to restore the whole department, to order again.—

Thus you see, that Comparatively trivial, matters, bring about, important results, here, and, it may be affirmed, that at no time, for two or three, months has the Government felt themselves, more at ease than now.—

These facts are stated, only because, they effect my negotiations, for the Government is timid, or bold, just in proportion, to its weakness, or its strength.—

Hence, I congratulate myself, in the hope, that, the Government will remain, for this year, at least, without Change, and that, they may Continue, to gain Strength, for, in this, in part, I place my hopes of ultimate success, in the objects, you had in view, in Charging me, with this, important and delicate trust.—

Since my last respects, I have had another interview, with Mr Cañedo, at his Department, in which, nothing new, or interesting, specially, occurred.

The Secretary however, among other matters, reiterated his assurances, that he was doing all in his power, to place my propositions, (as well as the whole Texas question) on the best possible footing, with the Cabinet, and, also, with the Executive Council, who, may, have to act, in the premises, before, the Cabinet decides on any given Course.— That, the delay which had occurred, was desirable, that he might have time, to confer, with some of the leading men in the Council, before the matter was finally, discussed and disposed of.— and, that, the matter in general, wore a more favourable aspect, than before, and that he hoped, by management, (which might involve some little delay) he should be able to bring about, some favourable result, tho, it might not be, what I so much wished a Re-

This interview, was, like the preceding ones, Conducted with the same apparent frankness, and was closed, by expressing a wish, that, my advices from your Credentials, &c might soon arrive, as that circumstance might give an impulse, to the negotiations, which, was desirable, and might accelerate actions, and effect favourably the decisions of Government, if in time, to produce its anticipated effe before the Cabinet, had definitively acted, on the Subject. — " — " — Told the Secretary, that he might consider himself fully authorized, to retard final actio if he thout it under all Circumstances, desirable, and in fact, to conduct, and manage, the matter with his Colleagues, according to his views of expediency; I, of course, was not so desirious, to bring the matter to an issue, as to wish to leave the matter pressed forward, and closed, under adverse Circumstances, but that on the Contrary, that, I wished the subject to have all the Contingent, and inc dental advantages, which could be thrown into way, and for this purpose, to sho Carry on the negotiations, to an issue, as he thought proper. — Subsequently to interview my principal friend, and Co-Operator, (Sub Rosa) reported to me, he had just had, a long and final interview, with Mr Cuevas, the Secreta of the interior, (who had been anti-Texas, in the offset, and finally began to Vac late) and that this gentleman had become entirely Convinced, of two importa facts, as regards the Texas question — viz —, that it was not in the power of Mexic (without enormous Sacrafices) to recover Texas, and hence, that so soon, as the Government can make any honourable, and amicable arrangement, it should, do so. — This is a Cabinet vote, and therefore an important one, for if Alamonte, and Echeverria (of the Treasury) should go together, there would be a tie, and this would send the matter to the Council, where I hope, there will be a majority, in favour of some immediate action. — " — " — I reported this to Mr Pakenham and desired him to see, both Mr Cañedo, and Mr Cuevas, sepa rately, which he has recently done, and informs me, that he asked Mr Cuevas his Candid opinion, and his reply fully Confirmed, the report of my friend, — That he, found Mr Cañedo, in good Spirits, and that he stated, that matters w progressing, more favourably, than he had, at first, anticipated, and that my propositions, would soon be acted upon, and altho' it was probable, that a Rec tion, at present, would not be acceded to, yet that something, would result, from the deliberations of Government which he, the Secretary, would duly Co municate to Mr Pakenham &c &c &c Thus you see, if the Secretary is playing a double game of Diplomacy or deception, he is practicing on Her Majesty Minister, as well as, on your humble Confidential Agent; which I cannot b Course, allow myself to believe, without some evidence, equal to that, which ind the opposite Opinion and belief. — I refer, merely, to the Secretarys good fa in his professions &c. &c. but it does not, therefore follow, that he will be able, Carry his views, with the President, Cabinet or Council, but, that he will do, in his power to produce the most favourable result, obtainable, under the cir Circumstances. — Time, must, however decide the question. — " — " — Thus, under all the Circumstances, I should like to see the Secretary myself, a called on him yesterday, but found, at the Bar, of the Chamber of Deputies, where he had been Called, to explain an official Circular, emanating his Department, declaring as Piratical, the Flag and Vessels, armed Rebel authorities, Yucatan. — But, as was anticipated the de off triumphantly, the opposition having entirely failed, in their It is now doubtful, if I see him, before I close this Communica I think it of much since having seems well as can be ex

I am anxiously a
13th inst, in the a
Mor

Orleans, in six days passage.— This information comes to us, by an express, while the Correspondences, is coming along slowly, by mail.— " — " —
I hope I may not be disappointed, on this Occasion, If I am, I hardly know, what Mr Pañedo and Mr Pakenham will think, as it is now, seventy days, since my letters of about the 1st February, went forward, which, I trust, will have been considered, as entitled to an immediate reply.— " — " —
A few days will decide, whether, I am to be disappointed.— I remark, that Mr Pakenham, has transmitted to his Government every thing, which has taken place, here in regard to the action of this Government on the Texas question, and also sent home, Copies of all the papers, I have presented to the Secretary of State, as well as, Copies of Genl Hamiltons two letters to Mr Pakenham, and the reply of Mr P. to the first of said letters.— I therefore suggest that this fact, might be communicated by the Department of State, to Genl Hamilton, (if he has embarked) for his Government; so that, he can know, through Lord Palmerston the State of things here, by every Mexican Packet, that arrives.— Of course any information of importance, should be communicated to Genl H independently, Viz. New York, as it would very often, anticipate, the reception of some intelligence, hence direct.— " —
I have received nothing from Gen. Hamilton, since he left New Orleans, for the North, his last, bearing 3rd January last, nor have I written him since 28 February, which was at length, and forwarded in duplicate.— " —
The Treaty between Texas and France, as published in your papers, has been re-published here, in several papers, of the opposition, as well as in the Official of Government, but in every instance, without a word of Comment.— " I furnished the Secretary of State, with a Copy, and he, at once, directed it to appear in the Government paper, the Tendency, of which, will be favourable.— " Mr. De Sisle, the former french Charge de affaires, here, leaves in a few days, for Vera Cruz, Havana and New York, So it appears, he does not, visit Texas, as he Originally Contemplated.— " — " Take the liberty to suggest, that it would, perhaps, be as well, that my Correspondence, should, be kept, within your Cabinet, for the present, and until, I reach the termination of my Mission, as, Continued Secrecy, may be desirable to this Government, as well as to yours, until your negotiations, with Mexico, should be brought to some definite point.— " — " I remain, Sir, Your Respectfully Your Obedient and Humble Servant.

(Signed) James Treat

To)
Gen M D Raman
Austin Texas

P.S. April 11th Evening* I have made another Effort to see the Secretary of State, But did not find him in— There is nothing new to add, to this to this letter— after next week, we shall done with Lent, and I hope, to make some further progress, in my affairs, of which I will, not fail to advise you.— " — " Very Respectfully Your Obt Servant

(Signed) Jas Treat

Mexico April 10th 1840

Sir!— " I have the honor to hand your Excellency herewith, two documents, addressed by the parties interested, to Richard Pakenham Esquire, H Br M, Majestys Minister Plenipotentiary, in Mexico, in relation to Texian Claims, as explained, in said Communications.— " Mr Pakenham, has desired me, to forward these papers to your Department, with a request, that, Y. E, will have the goodness, to inform him, how far, said Representations of Claims, are well founded, and, what would be the best course, for the parties interested, to pursue, if any, to take

paid Claims, ——— In fulfilling the wishes of Mr Pakenham, which I with much satisfaction (as I am under great Obligations to him, for his f attentions, as well as for his highly valuable services, to your Country, in =ing the objects of my mission) I beg leave to recommend to the Depar the matter above refered to, and to solicit, as early a reply, as may be nient, addresed to Mr Pakenham, as above, which please forward in =cates, ——— Refering Y. E. to the enclosed note, addresed to H. E. the P =ident, in relation to this subject; —— I have the honor to be, with great Re, Your Obedient and Humble Servant. ———

To the Hon
The Secretary of State of the Republic
of Texas, Austin. ———

(Signed) James Treat

Private. ——— Mexico April 10th 1840

My Dear Sir! — Under this date, I have addresed the Hon the Secretary of State, and enclosed him two papers, for his Consideration, and reply, to all which, I beg leave to refer you, for particulars. ——— I have done this, at the request of Mr Pakenham Her Majesty's Minister, to whom, as you are already fully aware, We are under great Obligations, for his Unwearied devoti to our Interest, in my Negotiations with the Government. ——— As regards the matter involved, of Course, I have nothing to say, as that, will stand, on its Meri but, permit me to Solicit, an early, and as full, a reply to Mr Pakenham, as th Nature of the Case will admit. ——— Refering you, to a long Communication of this days date, and fowarded, by this Conveyance, — I remain, my Dear Gener in haste, but, very truly, and Cordially Your most Obedient Servant. ———

To
Gen. M B Lamar
Austin Texas

(Signed) James Treat

Confidential Sir! — Mexico April 21st 1840

I have the honor to enclose you, duplicate of my respects of 10th Instant, sent you Via Tampico; and also a Copy of a Communic (marked **B**) made yesterday to the Secretary of State, to which, I beg leave to you. — On the Evening of the 15th Inst. I had the pleasure to receive a Commun from your Department of State, dated 12th March enclosing me, the plena powers, I had Solicited, and a dispatch, for Her Britanic Majesty's Minister =ipotentiary R Pakenham Esquire, which was delivered forthwith, and re duly replied to, by Mr P. — These advices were very welcome and afforde I assure you, as I was thus enabled, to make an important movement, so soon the pending holidays were over. ——— On Saturday the 18th Inst I had an in with the Secretary of State, and informed him, that I had received my Cre =ls, at which, he seemed gratified, and I exhibited to him the paper, of whic requested, a copy, which I placed before him Yesterday, Certified by myself, a him the official letter above refered to. — On receiving a reply from the Se naming a time, I shall Call, and Shew my Original Credential, and (m will then, stand, in a fair way, as regards the Secretary and myself forms are Concerned. — The Secretary has privately and Confidentl the course, he is desirous to give to this Negotiation. — He will Call =inet Council, to discuss the matter in question; and place before in relation thereto; advocating, some action in the premises, (without loosing the support of the and his Co. Cabinet, to pass the pa the its opinion. — I.

Council) Shall determine to go foward in the matter, they will; then appeal to the Legislature, for the necessary authorization, and powers, to Carry out such an amicable arrangement, as the Government may think proper to make, with the Government of Texas.— If we Cannot get the vote in this Case, it may be because the Chambers, will not trust the Government, with the entire Negotiation, but may wish to fix some general basis, for the action of the Government.— Congress may, also, grant the full powers to treat, Conditioned, that the terms and Stipulations, Shall be submitted, for approval, before the Government Can close any Treaty.—

The application to Congress, if made, and their action, will be in Secret Sesion, and my Mision will still be Continued a Secret, and myself incognito, as regards my Agency.— Thus, you, See, exactly, how matters now Stand, and the various Ordeals, through which, the question, must pass, before we reach any final result.

It is Sufficiently obvious, that if Congress, will authorize, the Government, will act, and Think promptly.— If the matter Succeeds, with the Cabinet and Council, and reaches Congress, I Shall have Some hopes of Success, for I have So arranged matters, that I Can Cause Some influence, there, myself, if necesary.—

This however, is the favourable Side of the picture.— I must See what the Secretary will Say to my propositions, (already fowarded you and marked A) and wheth-er our plans work as we desire.— We must await the issue, as any opinions, in advance, would be worth, but very little.— The Letter I have received from the Department of State, is very Satisfactorly, but it is entirely Silent, as regards any New, or Modified instructions, in Conformity, to the views of Genl Hamilton as Communicated to Mr Pakenham, and myself, both, before, and after, his last Visit to Texas.— I have adverted to this point, on Several Occasions, and as far back as my Respects of 20th and 31st of December, and more fully, under date of January 18th and Still more at length, in my dispatch of February 15th.— Mr Pakenham, has been of Opinion (and Still is, Tho' not so Strongly as heretofore) that you will not Obtain your Recognition, on this first attempt, but that Some preliminary arrangement, might be, entered upon, Such as an Armistice, for a given time, within which, the Mexican Government would agree, to prepare itself, for a full Recognition, and Consequent Treaty of Peace, Commerce and limits.— This, would be Somewhat, in accordance with Genl Hamiltons views and Ideas, and what I wish to know is, whether, these, are the views of your Government, and how far, (if at all) I am to act in accordance with them.— My previous letters, are So full, and explicit, that I refer you to them, and Cannot doubt, but I Shall Soon receive, Some information, touching these points, So necessary, for my Government, if I fail, in my pending application, and plans.— I also Take leave, to remark, that the letter refered to, from the Department of State, Contained not a word, about funds, to my order in New Orleans, See my requests, in letter of 31st December, and Subsequent ones.—

Awaiting with anxious Solicitude, the action of the Cabinet, here, I Close, with a promise to advise you, the moment, any think of moment Occurs.—

I felicitate E. E. on the return of this auspicious day, which gave birth to a new Republic, over whose happy destinies, you now preside.—

I have the honor to be, with great Respect, Your Obedient Servant

(Signed) James Treat

To
Genl M. B. Lamar
Texas.

Copy of Document. B.— Confidential.—

Mexico April 20th 1840

Most Excellent Sir!— I have the honor to present to your Excellency the enclosed Copy of my Credentials and plenary powers, just received from the President of Texas, which document, I solicited, in Consequence of Your Excellency's Observation, that, without said forms, I could not explain the views and wishes, of the

of Texas; and also, in order that my Authority to Confer, and act in the premises, bind the said Government of Texas, to the fulfilment of any act, or acts of mine, might perfect and Complete.—" I would, therefore, respectfully ask of Y. E, to have the goo to appoint a time, when I can have the honor, to present myself to Y. E, and exhibit Original of said paper.—" It affords me the utmost pleasure and Satisfact to be able to re-iterate to Y. E. the Continued, and sincere desire of the Presiden Government of Texas, for Peace, and a good understanding, with the Government o Mexico and its Citizens; and its most earnest wishes, that, the present, highly favou ble Opportunity for such an amicable adjustment of existing differences, between th Countries, as shall, alike honourable, and advantageous to both parties, may be du appreciated by H.E, the President of Mexico and its Government, as it most esp lly is, by the, President, and Government of Texas.—"—" With these assurance which I feel myself Authorized to make, Y. E, will Trust, permit me to add, on m own part, that, I am most firmly persuaded, that the present, is the most opportune mom that Can ever Occur, at least so far as regards Texas, to adjust, finally and favoura all questions, in relation to that Country, and thus, Secure a perpetual peace, and the numerous benefits and advantages, that must result, from the friendly rela which will immediately ensue.—"—" I therefore flatter myself, that I may be permitted to anticipate, as early action, on the subject, on the part of Y. E. Gov. as the Circumstances of the Case will permit.—" I have the honor to be, with g respect, and the highest Consideration Your Excellency's most Obedient and Hum Servant

(Signed) James Treat

Confidential Agent and Special Commissioner of the Government of Texas.—"—"—"—"

To H. E. Sr. Dr Juan de Dios Cañedo, Secretary of State, and of foreign relations

Mexico

Private.

Sir.— Mexico April 21st 1840.

I have detained these dispatches, unt I ascertained, whether, there was a conveyance for them, at Vera Cruz, and being I shall send them, tomorrow's Post, to Tampico, where, they must take their Chan for an opportunity for New Orleans.— This delay, enables me to hand you, a dispa from Mr Patterham, to your Department of State, in answer to the one, recently r ved by Mr. P. from Judge Burnet.— My formal Call, on the Secretary of St by his Special Note of invitation, took place yesterday, which being purely a ma of form, Nothing Occurred, of any moment.— The Secretary said that he shou soon have the papers ready, to place before the Cabinet, when, he should endeavour to the business, the Course, already indicated, in my respects, of 21st Inst, herewith.

We must now, await quietly, a few days, until, I know, the fate of the question, the part of the Cabinet, which, may be, indicative, of the intentions of Governme which, I will report upon, without a moments unnecessary delay, for your fu government and Satisfaction.— I reported, in a former Communication, that, Bill, so long pending before Congress, to provide ways, and means, for the recover Texas, was finally lost, in the Senate.—"—" This, was true, and I supposed, wi final and decisive, of the fate of the measure.— But it appears, (as the people, away, in almost every thing, peculiar to themselves) the Secretary of War, re the matter, the Committe of the House, again, took up the subject, and a new Bill, with some alterations, and it is now, under discussion in and its provisions approved of, by that body, up to the 7th Article of

It is generally believed, that it will pass the Deputies; and =ght, that the Senate will reject it.— a few days will de =retary of State yesterday, whether, the passage of the with his plans, and those of the said he, in the first

it may be, Considered a dead Letter, So far as Texas is Concerned, This, Conf. my previous Opinion, that the Revenue Contemplated by it, is wanted for Other, purpo. As the Bill now Stands, the Government can apply the proceeds of this Revenue, to the, Restoration of Texas; the protection of the frontiers from, Indian depredations; or, ma. distribute, it at discretion, among the Departments.— So that, there is nothing, Scarcely, in said Bill, which has any bearing on Texas, Except its title.— My friends, will stop it, nevertheless, in the Senate, if they Can, as it will, have a good effect, on the Cabinet, as regards, my direct progress.—"—"—"—"—"—"—"

April 25th Evening—

Since writing the foregoing, I have seen Mr. Cañedo, and also Mr. Pakenham— The former, told me, that, on the 27th Inst. he should Open my affair, to the Cabinet, and, he thought things looked well.—"—" Mr. Pakenham, Since I saw him, has sent me his letter (Open) to the Hon. Judge Burnet, instead of .. to, the Hon the Secretary of State, as I had, without reflection, supposed.—

(You are of Course well aware, that Mr. P. Cannot address himself Officially, nor give an official titles, of Recognition, in his letters, to any public function, any, where the Country is not recognized by his Sovereign.— Hence the Style of the letter herewith.— He requested me to make this remarke, although its Obvious that no exception Could be taken.— I think the Contents quite Satisfactorily.— You will therefore Strust, look over, the expressions of Gen Lamar, and "Texan authorities" as an Official Obligation, on his part Only.— Pardon haste, and believe me very truly and with great respect Your Obt Servant.—

(Signed) James Treat

To)
Gen M B Lamar
Texas

Mexico 25th April 1840

Sir!— I have had the honor, to receive from the hands of Mr James Treat your Letter of the 12th March; and I am much gratified to find from it that the Steps Taken by me, in fulfilment of the instructions of Her Majesty's Government, towards effecting an arrangement between this Country and Texas, have been viewed with Satisfaction by the Texian Authorities.— The difficulty which had existed with regard to the recognition of Mr. Treat as Agent for Texas, having been removed by the full power lately transmitted to him, he will now possess the advantage of Communicating freely and directly with the Mexican Government; and it will afford me Sincere pleasure to Continue to Co-operate with him whenever he may think my assistance desirable.— I have to request that you will be pleased to present my respects to General Lamar, and to accept the assurance of the high Consideration with which I have the honor to be, Sir, your Obedient humble Servant

The Hon.
David G Burnet

R Pakenham

Private.

Sir!— Mexico April 30th 1840

I avail of the English Cabinet Courier, to hand you, herewith, Duplicate Copies, of my last respects, of 21st 27th & 25th Inst, in case, the Originals, Sent Via Tampico, Should be delayed; and to which I beg leave to refer you.—"—" I had hoped, that, I might be able to say Something, by this Conveyance, of the result, of the Sessions of the Cabinet, on Mo in relation to, our affairs, and, for that purpose, I had Omitted address you, up to this, the latest moment; but neither Mr Pakenham, nor myself have been able to see the Secretary, this week, from his indisposition,

of the Pol... the will th... Mr.

in Session, on home affairs.— I trust however, in my next, to be able to apprise something of the result, of this, first formal Step, in my Negotiations.—
I have addressed the honorable Secretary of State, a Separate dispatch on the business, which, goes with this, and to which, permit me to refer you, hoping for your approbation, in the Course, I have pursued in this matter.—

With great Respect, and Consideration, I am, Sir,
Your Most Obedient Servant
(Signed) James Treat

To
Gen. M. B. Lamar
Austin, Texas

Confidential.

Mexico May 7th 1840

Sir!— I have the honor to hand you herewith Copy of my last, Short dispatch, under date of the 30th Ultimo, and have now the pleasure to apprise you, of the result of the then, pending deliberations of the Mexican Cabinet which, so far, is all I could desire, as a preliminary Step.— In my respects und date 21st Ultimo, I informed you, the Course, which the Secretary then proposed to persue, and although there was some unexpected delay, in getting the Subject befor the Cabinet, Yet on Tuesday Evening 5th Inst, the Session was held, and the result was, that the whole of the papers documents, and Correspondence were Ordered to b. Submitted to the Council of Government, for their Opinion; and, also; the Questio. If the Council, Concur with the Cabinet, in their resolution, to ask Congress, for Special powers, to Negotiate, an amicable arrangement, with the Government of Texas.— The papers, would be sent to Council to day, but there is no Session of tha body, until Tuesday next 12th Inst, and this delay is very Convenient, as it giv. us a little time for reflection.— If the Council Concur with the Government or Cabinet, as regards, Opening formally, the Negotiation, they will also Concur, i. Sending to Congress, the Initiative in question, asking for powers to Negotiate.—
If Congress, grant the powers asked for, by Government, they will probably not discretionary, but limited; Say 1st They may pass the Resolution, giving the Nece. authority, under certain fixed basis, or Conditions, and thus bind the hands of Government.— Or 2nd They may, grant the Necessary authority; provided, a. the leading provisions of the arrangement, shall be submitted to Congress, for their final approbation, before Government can Close the Negotiations.—
This last named plan, suits me best, as it gives me a Chance to remove Obsta and have the Way.— The Government with these powers, in hand, will k know officially; how far I can go; and what I must have, in return; in fac they know already the Cardinal points, of the proposals, your Government had been long since, prepared to make.— When the Government have Obtained m best terms; or sine qua non, Conditions, they will lay the propositions before Con and, should the Government, and Congress, be satisfied, that they cannot do a. better with me, we may, Come to an arrangement, within the tenor of your instructions.— This, however, seems almost too much even to hope for, under the circumstances, of the case, and I dare not express this expectation. Yet, will say, that, if the matter, gets before, Congress, I shall then have reasona hopes, of some Success.— Nor do I think a small difference (after the bus has gone so far) will destroy the Negotiation.— This Council of which is a Constitutional branch, of the Government, and a part of the Execu as the latter, and his Cabinet, cannot, even initiate a Law; or introdu project, in Congress, without first obtaining the Concurrence of this Council.— Hence the Necessity of taking this Step before could appeal to Congress, ~~and hence, also, the same~~ thority of Congress before they can proceed further, ex.
This Council is Co[illegible] of th
quorum [illegible]

Alaman, is the President and Gorostiza, one of the influential Members.
The President will appoint a committee, to report on the Subject, when the discussion will take place, and the Secretary's of State, Hacienda, and of War, Alamonte, will be present, to Explain the views of the Cabinet, and their Arm.
I am willing, to hayard the remark, (in this instance) that the Chances, in my opinion are equal, that their action, will be in favour of our views.
Thus, I have endeavoured, to give as clear an Idea as I Could, of the present position of my affairs here; and will not Conceal the fact, that, I feel Somewhat Satisfied with appearances. Nevertheless, I would not be Sanguine, even of the issue in Council, and less of the final result; as all my experience Shews, that here, it is extremely difficult, to anticipate, events, of this Magnitude and Character, and with such Elements around me, with any degree Of Certainty. I will just add, that the Secretary of State, in relating to me the result of the Cabinet Conferrence, on yesterday Morning; Observed Emphatically; My Dear Sir, we have now travelled two thirds of our journey. I deduct half, and call it One third, Of my distance; our success in the Council, the other third, and the authorization of Congress, the remaining third.

With these remarks, and the facts, before you, I leave you, Sir, to draw your own Inferences. I have written Genl Hamilton, this day, announcing in Substance, this first Step in my Negotiations. I send my Letter to New York, under Cover, to your Consul there, with directions, if the Genl has embarked, to foward it immediately, to London. No arrivals from New Orleans yet, nor have I received the Original of the plenary powers, duplicate of which, I have already, acknowledged. I am very desirous to receive your further Views and instructions, if any. This goes, Via Tampico, to take, its Chance, as there is no thing in Vera Cruz, bound to the United States. Pardon, my haste, and accept the esteem and Consideration of Sir, Your Obedient Servant.

(Signed) James Treat

To)
Genl M. T. Samar
Austin Texas

Confidential.

Mexico May 28th 1840

Sir. I have the honor to enclose you Copy of my last respects of 7th Inst. to which I beg leave to refer you, in case it Should reach you, before the Original. I am now just able to get Out, from indisposition, which has Confined me to my room for upwards of a fortnight, but am now Convalesing, Thope, permanently, though gradually. This Confinement, at so important a Moment, has been unfortunate, and the more So, as I have found much more difficulty to encounter in this Council, as I anticipated, and hence the delay of their decision to the present time. Mr Gorostiza, a friend of Genl Santa Anna's, and opposed, in general politics, to the Government, who, from the beginning, I anticipated would make Some Opposition, but did not think he could Carry a majority with him, went formally against the project. A Committee of three of said Council reported, unanimously favourably to the Views of the Cabinet, but, to the surprise of the Secretary of State, and the Minority, Gorostiza and his four friends, voted down the report, 5 to 4.

By a rule of Council, in Such Cases, the Subject is handed Over to a new Committee, Composed of the Majority, and Gorostiza was, in this instance, appointed Chairman of the New Committee, and we might, of Course, anticipate a report from him, Counter to our Views. I found it indispensably necessary to influence the Gentleman, and induce him so to modify his report, as to Send the whole matter to Congress, although in doing this, he would so Shape it, as to be consistent with his, and his Colleagues previous Votes, and Speaches on the former

it will be such, as will Square with the Resolution, that will be proposed, viz. transmit the whole Subject, without expreſsing an Opinion themselves, to the Consideration of Congreſs.— With this, and some other timely measures, I think I can ex- -ct the result promised.— Gorostiza and the Secretary of State, are personally and politically unfriendly, and Mr. G. desired a triumph in Council over the Secretary, whose Views and wishes, however differed but little, in fact, from t arguments of Mr Gorostiza and his party.— The difference is; That, if the questi had been Carried according to Mr Cañedo's first plan, the Subject would have gone to Congreſs with an Iniciative of the Government and Council, while in the other Case, it will be presented without an Opinion from either Cabin or Council.— The matter will soon Come to an issue, and I shall Consider it very fortunate for us, if we Obtain a favourable result; in which case I shal of Course, be detained, for the final issue in Congreſs.— But, Should I be disap- -inted, in the expected decision of the Council, or Should the Resolution of Congreſs, be unfavourable to any Negotiation with Texas, I shall receive, at an my passports, and more, as rapidly as posible, to New Orleans, where I shall hope to receive your instructions, as regards proceeding forthwith to Texas, for an verbal information, you may desire to receive from me, as my report, for the pres may be found, essentially, in my Correspondence, which has been full, and mu in detail.— Meanwhile I shall Continue to advise you of my further progre and the final result, by every opportunity; which are now very unfrequent.—

I shall not Conceal the very great apprehension, I feel, with regard to the pe- -manence of the present Cabinet. I should not have been unsurprised, any day within the last fortnight, at their Resignation, or, What would be quite as ba for me, that the Secretary of State should resign, at any moment, although he has often himself, assured me, that he did not Contemplate such a step— Even however, may Compel or induce him to this, which I shall regret exceedingly, I assure You,— The Government are surrounded with difficulties, as I have alrea apprised you in former dispatches, and they are accumulating every day.—

Waiving the matter of Texas, which, no doubt, gives them some uneasineſs, pende the question Peace or War, (or if you please, a shapeless War, on their part) the State Yucatan, Campeche having already or will soon be Compelled to capitu- -late, for Want of Succor from the Government, this disaffection already spread into the Neighbouring State of Tobasco, and may be followed by the Departmen of Chiapas, embarrases the Government very much.— Other Small parties, in different parts of the Country, Continues in arms, with more or leſs Succeſs, an the federalists and Opposition preſs, and Crying aloud for a change of Minis

The promised reforms in the Central Constitution, and against the proje of Government, now before Congreſs, restricting the liberty of the preſs; and among other things, the Opposition have made a violent attack on Mr Palanch charging him with Co-operating with, and even directing the measures o Government, with having sent a Veſel of War to Yucatan with dispatch and money for the Government, and generally interfering with the dome Concerns of the Country, in favour to the present order of things, and in oppos to the views of the Opposition here, who wishes to destroy Centralism and reform the Constitution of 1824. But this is not all; there is a Complete of Anarchy and Confusion, Or at least entire Want of harmony between th various departments of Government, the Executive, Executive- Council -rene Court, and Conservative power.— Hardly any two of these, measures of moment, and a very angry and serious altercation has occurred between the first named, and the latter power as they both persist in their pretentions, almost entirely attention.— The Government has question as

and ils Council, and the Conservative powers, Composed of five individuals, who are irresponsible, except to their own Conciences and their main-will have the Supreme Court to sustain them in their struggle.— Hence arises the fact, that a Law of Congress is carried into effect by Government, and is in operation for Two months, the Conservative Power, then, declare it null and void, and the Government refuses to obey this decree, on the ground, that it was not enacted, according to the provisions of the Constitution. Both insist, and Government sends the question to Congress for decision.— Meantime Congress are deciding this Matter, not yet taken up, Government directs its Military Commandants, in the departments, to obey the Law of Congress, and exercise Military Jurisdiction, in same Cases, and the Supreme Court directs the Judges of the same Departments, to claim and hold Civil Jurisdiction, in the same cases, under a pre-existing Law, in as much as the Conservative power, had declared null and void the Law, under which the Government claim Military Jurisdiction.— This dark picture, Sir, will give you some Idea of the sad and disjointed State of things, here, and I would fain suppress it, did I not Consider it an infraction of my duty, so to do, It is my duty to report on both sides of the question, whether favourable to my Objects, or the reverse.— And now, Sir, were I to ask you, after the perusal of this letter, and all my preceding dispatches, whether, in your Opinion, it was possible, under existing Circumstances, for me to succeed in my Mission, what would be your reply? "impossible, or highly improbable"— You will draw your own inferences from this Statement of facts, and the above interrogatory, and its Answer.— I still hope because Truth is mighty, but I fear least the thousand Counter-influences Resignation of the Ministry and demoralization of men may prevail.— I also fear the Secret influence of Santa Anna against me, through the medium of his friends here.— I am Sir, with great Respect

Your most Obedient and Humble Servant

(Signed) James Treat

To

Gen. M. Austin

Austin, Texas

Mexico June 3rd 1836

My Dear Sir!— I beg leave to hand you the enclosed, which is important, and beg you to forward it promptly, and Safely.— You may, if you write Col Love, say for me, that, I am thus far, making fair progress but please not repeat the same to any one else, and to the Col as Confidential, Say to him also, that I am sick and cannot write him, as I should like to day— I have nothing from you, to acknowledge, but expect to have in a few days, as the Weller arrived from your Post at Tampico, on the 26th Ultimo, and, by her I presume, I have Letters, and that you have sent forward all you had for me.— If you have retained any, or receive more, you may forward them up to the 1st of July, either to Vera Cruz, under Cover to Mr Boroughs or to Tampico, first Covered to me, then Enveloped to R Pakenham Esqr British Minister, Mexico, Then to Mr Crawford English Consul Tampico, and pardon the Trouble.— Excuse my Scrawl, for I am very ill, and Convalescing from illness, I hope this will find you well— I will, I hope see you in July—, Very truly, and with many Obligations, I am your friend and Servant.—

(Signed) James Treat

To Dr James Ritchie, New Orleans

Please put the Letter for Genl Lamar under blank envelope, and Oblige, J. T.

P.S. The Steamer Argyle arrived at Vera Cruz on the 1st inst. and has gone home

that this Steamer will return, to New Orleans, and Continue running, to send by her all the letters you have for me, under Cover to Mr Borroughs Esquir and much Oblige, Very truly ——— (Signed) D. Treat ———

Should the Steamer not return to Vera Cruz nor Tampico, send my Letters per first Vessel, as previously advised in this Letter. — D. T. ———

Confidential. Sir, Mexico June 3rd 1840. Evening of I have the honor to refer you, to my last Communication of 25th Ultimo, and regret, that I cannot, now, enclose you a copy, as I have but a moments time, to avail of this nights Post, for Tampico, whence, I hope this, will find, a prompt Conveyance to New Orleans, and Thus to your hands. — By my last (if it precedes this) you will perceive, that the Council, have occupied much more time, in their deliberations, on the grand question, than I had anticipated, in my respects of 7th Ultimo, and that numerous Causes of delay, and Opposition not foreseen, had placed in jeopardy, the final result, in that body, which, an rejection of the whole matter would have been, to close the door, against any further Actions, on my part. I had been Confined to my bed, for upwards of a fortnight, and have not been Well, and Convalescing, only a few days, which was the more unfortunate as this matter, was, by no means, to be left to its fate, nor, to the care of Others; it required much Vigilance and Attention. — To day, the "Council" have another meeting, and I think, will decide the matter, and I hope, it will be in our favour and that I shall be Consigned over to Congress, for the sale of my Mission, which, is the Only (and of Course the best) result, that Could Occur, unless they reject the whole question. — This hasty letter, is therefore written, while I am awaiting the hour to add the same in a Postscript. — The Schooner Weller, arrived at Tampico on the 26th Ultimo from New Orleans, and I trust, has dispatches from the Department, for me, which, I shall await for, with impatience, until the 8th Instant, on which day the Post will arrive, with her Correspondence, and I trust I shall not be disappointed. — Opportunities, for Posts in the Gulf, are so unfrequent, I shall be Compelled to send, my letters, via Havana. — It is now raining very hard, but I will await the last moment of Post, to hear of the doings of "Council". — Pardon my letter, my dear Sir, for, I am very much hurried, and, of Course, Without any assistance. — I have the honor to be, with great respect, Your most Obedient and Humble Servant. —

(Signed) James Treat

(To)
Gen. M. D. Lamar
Austin, Texas

(Postscript. 8 P.M.) I have this moment been placed in possession, through Mr Pakenham, of the Original, dispatch of, your acting Secretary of State, of 19th of March, with my powers, Your Proclamation, and Letter for Mr Pakenham, also the Letter from Mr Upshur, Secretary of State, of the 12th of April, Covering authority to draw on the Commissioner of Loans, for Two thousand dollars. All which shall have my attention, and be duly acknowledged. This must now suffice (P. M.) My messenger has just returned, and although the Council have up my question, yet nothing was decided, and the Subject was indeed to Consider other matters of more immediate importance, as was a strong opposition to the particular Course, which the Council is to adopt, but still I hope it will end, in at least transmitting the matter to Congress, to resolve on peace or war, and I do not, and I think, final decision on the Question, the result of which will be, in

Most Private.

Mexico June 6th 1840

Sir. I beg leave to refer you, to my last, Very hasty letter of 3rd Inst, which left in doubt the issue, so long pending of the Texas question in the Council of the Executive. —— I have now the satisfaction to apprise you that a decision was reached, in that body, last night, after a long, and in some respects, a warm discussion of five hours and a half. — By a sort of Compromise of Opinions, it was agreed, unanimously, at last, to submit the whole Texas question, to Congress, to resolve the the first and main question, Viz; Peace Or War. — If they decide in favour of War, or what is the same thing, measures to recover that Territory, of course my Mission, is at an end. — If they resolve on Peace, or what is perhaps equivalent, and may lead to it, Negotiation, then, they will of Course, authorise the Government to open Negotiations with me, or receive my propositions, in some form, perhaps, under some restrictions, or may be, at the, discretion of Government. — This naked or general question, will first be proposed, and decided, without submitting any basis, or Conditions. — If Peace or a hearing of your Agent, be resolved upon, then, the Government will enter into the details, that may be necessary, and proceed to receive my propositions. — It will probably require a week, to lay the matter before the Deputies, and how long for action, on the Main question I cannot say. — all I can now add is, that this, result, I consider, prima facia evidence of a disposition towards an amicable arrangement of some Sort, on the part of Government and Council. — " — " The were in my Opinion in favor of Peace, But the did not like to assume the responsibility of any action, other, than what I have Stated, but threw the responsibility on the Sovereignty of the people. — " — " I must now, enlighten these Representatives all I can, and leave the rest, to the United Wisdom, of both Houses of Congress. — I am Still very Weak, and pressed for time, therefore, I pray you, Sir, pardon my hurried dispatch, which I cannot copy. — I Remain very Respectfully, (and with great Consideration, Your most Obedient Servant. — " (Signed) James Treat —

To
Gen. M. B. Lamar
Austin, Texas.

Confidential.

Sir. Mexico June 12th 1840

I have the honor to wait on you herewith, with copies of my last three very hasty dispatches, dated of 28th of May, 3rd & 6th Inst, to which, if needful, I beg reference, duplicate of my preceding Communication of the 7th ultimo being already on its way. — You will perceive by my advices above refered to, how matters Stood up to the 6th Inst, since when, three or four Consecutive holidays, and their necessary Consequences have prevented any further progress, unless it be, that the papers to be refered to Congress in relation to Texas, have been preparing, and if not Sent in yesterday, which I doubt, may be to day, or tomorrow, when I shall watch their progress with great anxiety, and an interest, which I will not attempt to describe —

Meanwhile, and Since the action of Congress, the matter has gained publicity, as you will perceive by the Slips Inclosed you, from the Opposition papers, The Cosmopolitic is the most respectable and called the Organ of the Federal party. The Equilibrium is a more Violent paper, and also against the Govert — Neither of them are very Scrupulous, as regards the truth of their Statements, as [illegible] to abuse the Government, and make Converts to their party. — You Credit neither, where their Statements Conflict with

opposition will oppose the question of acknowledgement, independently of it, and merely to embarrass more and more the Government.— Campeche has fin surrendered to the Revolutionary party, and some movements have taken place in the adjoining Department of Tabasco, where it is doubtful, if the Central forces are sufficient to withstand the example and efforts Yucatan, now entirely free

At present the Government are doing nothing towards preparing an expediti against this revolted Department, and it is doubtful, if they will, as it woul require some Vessels of War, and three thousand men, at least, to subjugate the Peninsula— They have not means for this, and have too many Cares nearer home

The question between the Government and Conservative power, remains open, Congress not having acted on the question, and should they decide favourable t the Government as is probable, the Conservative power would, as is believed, declare nu and void said Law, and these powers would remain in the same hostile attitude as before.— The fact is, they are surrounded with difficulties, and if the presen Ministry maintain themselves in power, and can sustain the present Order of things, It must be by going ahead, with a strong hand, regardless of the Clamo of the people, or the denunciation of the Press.— They must cut the Gordian k and carry through their plans, and measures, if need be, at the point of the bayonet.— This Conservative power stands in their Way, as it now has the powe of annulling all Laws, by a plausible argument (very easy among these people of unconstitutionality.— As regards the opposition press, the Government soon have it in their power to check it, under the Law restricting the liberty of the press, which has, or will unquestionably pass the Chambers of deputies, and doubtless, the Senate also.— Should the Conservative power declare it nul, the Executive will probably disobey the mandate, and execute the Law.— Then, there will soon Come up the proposed Referend in the Constitution, now Committe of the Deputies, who will propose to abolish this Conservative power, or restrict its powers, and it will be followed by a declaration of nullity, so that there seems to be no pacific termination of the matter, even prospectively.— A Compromise was attempted, but is now entirely given up.

Almonte's Iniciative of December last, asking for means to restore Texas to the national Union, has just become a Law, having been under co sideration six months, been rejected several times, and undergone so many modifications, that it amounts to nothing, so far as Texas is concerned.—

The law establishes a contribution in the Departments, the proceeds of which, the Government are authorized to appropriate to several distinct Objects, and the ballance towards the restoration of Texas.— The proje submitted to Congress declaring all persons traitors, who espoused the c of Texas, is sleeping quietly with the Committee, who will probably never thereon.— Congress has recently authorized government to take upon a Lo of One Million and they are now endeavouring to raise some money un it— They offer 1 ½ % p.m., but this premium is merely nominal, it Cost them 2 or 3 % p.m. in the way they usually manage such Negoti here.— This State of things, however deplorable in itself, is in m respects favourable to our Object, for the Stronger the Government and t bold and vigorous (despotic if you please) its measures, so much the b for our question, provided always, they Can sustain themselves, plans, hold the Congress and Council in subserviency, and fee and hosts of officers, under pay, on their side.— We [illegible] that Ministry will, either fail in nerve, to go thro or that, before they get through, [illegible] Cords so tight, as to produce a at least, for time, [illegible]

power and influence may prevail. ——"——"——

P.S. Friday June 19th. I have delayed my dispatches One Post, which will Still, be in time for the Steamer Argyle, Should She, on Her arrival from New Orleans, determine to return thither, as I hope; if not this must go, Via Havana. I have nothing Specially new, to add to my remarks of 6th Inst. — Public affairs Continue to look very dubious. — There has been delay, in the presentation of the question in Relation to Texas, to Congress. — The Government have been exceedingly occupied, with their Complicated and increasing difficulties, and particularly the Secretary of State, who is on the point of dispatching the Commissioners, under the Convention with the United States. — They will leave tomorrow, and if, to day my papers do not go in, I have no doubt they will, next Week, unless, delayed by the threatning aspect of affairs. — Congress is too busy to take them up just Now, even, if they had them, for half their time is passed in Secret Sessions, moved by themselves, or, called for, by the Government. — — Yesterday, the whole Cabinet, four Ministers, went to the Chambers, and asked for an immediate Session, with closed doors. — Object, not yet promulgated. — Rumors of the Resignation of the Ministry, have been very general, for Several days, and every body talks of a "Coup, d'Etat" from Some quarter. What the issue will be, it would be more than useless to Conjecture. — Under these Circumstances, it will not be Considered, a matter of any Surprize, that, I make no immediate progress, in the Chambers, or, that, the Government Should desire, a moment of greater Calm, than the present, to present this matter before Congress. —

So, I must await events which I hope may favour us, and you, Sir, must exercise all your patience, for the final result. — — I am Sir, with the highest respect and Consideration, Your most Obedient Servant.

(Signed) James Treat.

(To)
Gen. M. B. Lamar
Austin, Texas

P.P.S. Saturday June 20th

In closing, for the Post of this Evening, I have nothing to add, unless it be, that you must not be Surprised, if in my next, I apprise you of a New Ministry, which, I shall much regret, and, which, will Suspend my action, or Compel me to begin De Novo; either of them would be a most Sad disappointment. — But, I hope, and wait, with the most anxious expectation, the developement, of this, most Singular State of things. — Most Respectfully, Your most Obedient Servant. — James Treat

Sir. — Mexico June 19th 1840

I have the honor to acknowledge the reception, on the 3rd Inst, of your Valued Communication of the first of April, enclosing me, authority to draw, on the Loan Commissioner, in London, for a Sum equivolent to Two thousand dollars; and, by the same Conveyance, I received the duplicate, thereof, the former, through the Kindness of R Pakenham Esquire, and the latter, from Mr McBorrough, of Vera Cruz; all which, have been duly noted. —

I also received, at the same time, the original, of a dispatch, from the Hon David G Burnet, then, acting Secretary of State, dated 12th of March, enclosing, my plenary powers, a Letter for R Pakenham Esquire, and a Proclamation by S.E. the President of the Republic. the duplicate of which, with the above named papers, with the exception of the proclamation I had already received on the 15th of April, and re-commenced acting under said power, having immediately delivered the Communication to Mr Pakenham, who was pleased with its Contents, and has since, repl.

The Proclamation of the President, I handed forthwith, to the Secretary of State, Señor Don Juan de Dios Cañedo, who placed it on file with my previous Communications, where, it will serve to shew, the Sincerity and Consistency of Texas, in its present Negotiations, with Mexico. — Although, this Communication from your Department, has already been acknowledged to H. E. the President, and perhaps sufficiently replied to, it may not be improper for me, to offer, a few brief remarks, in reference to its Contents. — I have taken due note of all that relates, to the Objects of my Mission, and shall Continue to Confine my Negotiations, to the Essential, points of; Recognition, (which, necessarily involves Peace) Boundaries, fixed, and defined, if attainable, and Stipulations, of Indemnity, together, with such further Conditions, as necessarily, grow out, of the above provisions, leaving all minor points, that, Can be Omitted, in this preliminary treaty, to be entered upon, and adjusted hereafter, as may be agreed upon. — As regards an stipulation, to pay, a part, or the whole, of the indemnity in Mexican Bonds, I understand, that the Government of Texas, is indifferent, as it Contemplates, no direct advantage, if this Course Should be adopted.

It was Originally suggested merely to meet, the anticipated wishes of this Government, and to facilitate my Negotiation, and not, because any benefit would accrue to Texas: but further reflection, induces me to believe, that if the Mexican Government, Prefer, This Course, and it should be thought favourable to the adjustment of the question of indemnity, I, should assent to it, (but in strict accordance with my instructions) in as much, as it might be, of some advantage to the Commissioners in London, in facilitating the Loan of indemnity. —

Noting, however, has passed, between the Secretary of State, and myself, on this point, as we have not yet reached any Official details, as regards the propositions of Texas, to Mexico, the only paper which I have submitted, embracing proposals, having been transmitted to the President, and, as you will have seen, is very general. — If the period Should fortunately, arrive, when this question Comes up, I shall endeavour to make it subserve the Interests, of Texas, or, not, Omit it, entirely. — As regards the painful paragraph, of Judge Burnet's letter, relating to the sad fate of Lt Col Johnson and his Companions, I took early opportunity, to read the Statement to the Secretary of State, and, I think, with due effect. — In answer to your, Communication, I have to thank, the President, and, yourself, for attending to my request, in relation to funds, but, regret, they will not be available here, as it will be impracticable, to negotiate my drafts; perhaps however on reaching New Orleans, I can effect my Object there, and thus replace any sum, I may take up here, on my own Credit. — The approbation of the President of my Official Course here, is highly gratifying, and whatever may be the result of my Mission, my humble, though, unceasing efforts shall be suspended, nor diminished, for a single moment, until, I reach some Issue. — I beg leave, Respectfully, to refer the department, I have the honor to address, to my dispatches, herewith, addressed to Gen Lamar, to whom I have heretofore transmitted all Communications, having reference to my Mission. — As I have received intimation, to adopt, a different Course, I shall continue to do so, although I am aware, it may be considered irregular. I forward this to Vera Cruz, hoping the Steamer Arkansas which left there on the 6th Inst, for New Orleans, will be, by the 25th inst, and depart again for the same destination. — (I must go, Via Havana, as opportunities, direct, for ports in the Gulf are very unfrequent. — Please present to Judge Burnet, and Mr Starr, &c &c whom I am enjoying good

Respect and Consideration, Your Very humble Servant.
(Signed) James Treat

To
The Hon Abner S Lipscomb
Secretary of State
Texas

Sir!— Mexico July 1st 1840
I have the honor to wait on you, with a copy of my last respects of 19th Ultimo, and at same time, beg leave, most Respectfully, to refer the Department, which I have the honor to address, to my dispatches herewith, directed to Gen Lamar for particulars of my present position, and of my expectations. — I have the honor, to be, with the highest Respect and Consideration, Your most Obedient Servant
(Signed) James Treat

To
The Hon Abner S Lipscomb
Secretary of State
Texas

Private. Mexico July 1st 1840
Sir!— I beg leave to wait on you with a copy of my last respects, under the various dates of 14th 19th and 20th Ultimo, to which I refer you, should this first reach you, as I was compelled to send the Original with various duplicates, by way of Havana, no other opportunity offering in any direction. — I have the honor to hand you also, herewith, a copy of a communication addressed to the Secretary Of State, under date the 20th Ultimo, with Copies of the extracts therein referred to, which were taken from a dispatch from Col. Bee, dated Washington April 28th, and received by me On the 19th Ultimo, The Secretary has since informed me verbally, that he had Ordered them translated, and appended to the documents in relation to Texas, for presentation to Congress, this being precisely the main Object, I had in view, in making this Communication. — I hope you will approve of the Course I have adopted in relation to Col. Bee's Communication, although I had long before spoken to the Secretary, as regards both the points referred to. — I have advised Col. B. what I have done in the matter here, for his information and Government. — In the postscript to my last, I anticipated, that the days of the present ministry, were nearly numbered, and that they would be compelled to succumb, or, that the result of the existing Struggle, might produce Anarchy, if not a thorough Revolution. Such indeed were the aspect of things at that time, but, I am now, happy to inform you, that during the last fortnight things have Changed for the better, and at present, the political horizon appears Tranquil and favourable to the party in power. — I hope it may thus Continue, at least, until I can get through my business, for the Ordinary delays are enough to try the patience Of a Job, and when these extraordinary, Caused, for postponement arise although irresistable, yet they together produce a loss of time, which is really frightful, to one, who Calculates time as we are so apt to do — No further progress has yet been made, or in other words, our matter is not yet before the Congress, for the various reasons to which I have before adverted. — The Secretary of State however assured me yesterday, that within a week it should go forward, that the Subject had lost none of its interest, with him, or the Government, and in fact, I thought, seemed to feel an increased Interest in the matter, in all which I take it for granted the Secretary is sincere. — I shall however very soon be able to test their point, for I know, of no good reason, now, why the matter should be further postponed, although, I

Concur in the policy of the delay, thus far, — The opposition press, co
to charge upon me, and my Mission, and Charge the administration, an
an intention to recognize Texas, and now and then attack Mr Patterson
for his interference in their domestic Concerns. — But, as they attempt no an
-swer, their Object, not being in any sense patriotic, but purely personal
and levelled, only against the Ministry, of course the effect produced is bu
momentary. — The Government press denies the Charges, and says, that
the question of Texas, is not under the advisement of the Cabinet, and so
Curious articles occasionally appear in Strange quarters, all which, is mor
or less unaccountable to me. — The Ordinary period of the Session of Con
Closed 30th June, and that body, was re-opened, by the President on 1st
Inst. — In the Presidents Speech, he Speaks, of the usurpation of Texa
as one, among the various important matters, which will claim the attend
of Congress, but he goes no further. — The Speaker of the House in his reply
to the President, alludes, thus, altogether, for he says, in his excessive Zeal, "Let
"us not rest nor cease to labour, for a single moment, in the the Reduction of
"Texas, that Texas, which is the head quarters of the Anarchist, and the nur
"sery of Revolutions." Lece with other similar and ridiculous Ideas, —
I had intended sending you all these Various Slips, rather for your —
— amusement than any thing else, but I finally gave it up, as a mat
merely Calculated to excite your laughter. — I consider all these things as amo
-unting to, nothing, as against me, or my Objects, and Still they appeared so
inconsiderable, inconsistent, and impolitic, One cannot help, expressing
astonishment, at what appears to be such absolute folly. — I hope Sir in
my next, to inform you of the first impressions of the Chamber of Deputies, on
this question. — In the mean time, I have the honor, to be with the highes
Consideration and respect, Your most Obedient Servant
(Signed) James Treat

To)
Gen M. D. Lamar
Austin, Texas

P.S. I have written the Texan Commissioners in London, fully, this day, both via New York and direct to London per British Packet. — I have also advised Col Bee, generally of my posi
-tion and progress. — " — " — " — " — " — " —

— Copy. —

Mexico June 20th 1840

Most Excellent Sir, — I have the honor to enclose
your Excellency, an extract from a Communication, received yesterday fr
Barnard E Bee Esquire, Texan Charge d'affaires, near the Government of the
United States, and also an extract from a dispatch from the Secretary
of State of Texas, to the said Charge d'affaires, both in relation to the
proclamation of neutrality by the President of Texas, and the murder
of Lt. Col. Benjamin H Johnson, and his party, on the East Side of the
Rio Bravo del Norte, while returning from a peaceful Mission to th
Commander of the Federal forces, then in arms against the Govern
of Mexico. — I have thought it my duty to lay these extracts before
for the information of his excellency the President of Mexico, who
U. E. will doubtless deplore the sad, and Cruel fate of Col Johns
and his men, who had been sent on a Service alike advant
interest of Mexico, as it was honorable to the Sent
-oy, and moderation, which actuated the Presid
H. E the President of Mexi — also dic
-tions, additionable

(No 1)

the administration of Gen Lamar, and especially since he has made
overtures for a friendly adjustment of differences to the Government of
Mexico, and pending its deliberation & final decision. I avail myself
of this opportunity to offer to H E. my highest respects and consideration
&c &c

(Signed) Stephen Fs Austin

H. E. Sr Mr Juan de Dios Cañedo
Secretary of State & foreign affairs

Extract from a Communication from the Chargé d'
affaires of Texas, dated,

Legation of Texas, Washington, June 25th 1840

Sir, I received on my arrival here, some days since, a dispatch
from my Government, relative to the late of Col Johnson, and Colonel a
investigation, of which the enclosed is a copy. I have deemed it proper
of Mexico, at present here, I have thought proper to lay before you the
Subject that you may present it to the authorities of Mexico, in such
Manner, as may be calculated to produce the best impression, and obtain
for your guidance from the Communication of the Secretary of State of
Texas, the following

Department of State

City of Austin 6th Feby 1840

Sir

"Since your departure, the fate of our gallant Citizen Soldier, Col
Benjamin R Johnson, and his party, has been ascertained. With a view to the
more certain publication, and general promulgation of the President's proclam-
ation enjoining Neutrality on the part of the Citizens of Texas, in
the Contest between the Government of Mexico, and the Federalists, on the
West side of the Rio Grande; Col. Johnson and his party have been dispatched
that by his presence, the delusion, under which, some of our Citizens were labouring,
might be dispelled; and the feeling of the President not Compromitted, by their
Misconduct, and misguided zeal, in taking a part against which they despised
the Common enemy. It appears from the most authentic information
that we have been able to obtain, that Col Johnson had executed the object
of his mission, and left Camargo, about the 15th of November last, and after
Crossing the Rio Grande, on his way home, was intercepted, and the whole party,
Consisting in Eight or Ten persons, put to death, with circumstances of peculiar
Cruelty, that Could Only be Characteristic of the most unscrupulous Savages.
It would be thus, seen that the good faith, and moderation of the President
has been sealed by the blood of some of our most worthy Citizens, and a most
gallant Officer, who was respected by none for Chivalry, and patriotic devotion
to his Country's Service. You will, doubtless avail yourself of the Circum-
stances, attending the mission, and tragic fate of Col Johnson and his
party, to impress on the Mexican Minister, and the Cabinet of Washing-
ton, with these delicacy, however, this additional evidence of the moderation,
and humanity of our Government.

Private

Sir, Mexico July 13th 1840

I have had the honor to address you, under
date of 8th Inst, enclosing a copy of a Communication, directed to the
Mexican Secretary of State, duplicates of both which, I have the pleasure
to transmit you herewith, as it is very possible, this may be the first received
as my Letters, now go to the Coast, without knowing of any Special Conveyance
for them, and are sent forward, as opportunity directly or indirectly
to the [illegible] I have thought proper

Since my last every thing has continued as appeared by yesterday's papers affairs are far from being finally settled, nor are the future difficulties of Government yet surmounted, both houses of Congress have manifested a disposition favourable to the Government in the pending Conflict with the Executive power, and it now remains to be seen, whether the latter will submit or not. The Government have a majority in both Chambers, and in the Council, in their favour, and, should for a majority of the Commissioners General, and Governors of the Provinces also, uphold the Executive Power, have the Supreme Court, and all other Corporations, called the Constitutional, on their Side. These Three, mainly for the Government. The Government seems determined to carry their points, and in the Reform of the Constitution, already reported by a Committee of the House to be discussed, it will endeavour to destroy the Conservative Power, or, at least, restrict its immunities, abrogate its Sovereignty in both, the Government and Congress. If in the meantime the Conservative Body, and its Corporate supporters before named, should precipitate matters to extremities by further acts of nullification (nullifications), orday a dissolution of their respective Bodies, a State of anarchy will ensue, which may destroy the legitimacy of the Government, and terminate in a Revolutionary struggle, which will be decided by the Military forces, insured of public opinion, and the probable result of all, will be the elevation of a Dictator, if not for life, at least temporarily. — Many hope that these events, are yet so far off, that Congress may get fairly through, before they commenced, and that the Government will sustain itself, and keep it's different branches together, until Texas obtain some result, through the action of Congress which will be decisive, for the present at least, of your overtures for Peace. This, Sir, is the very uncertain, and unsatisfactory State of things, as appears at the present moment. The defeated leaving Santa Anna's project of Government restricting the liberties of the Press, this must inevitably be suppressed. The Government Centralists movement against Yucatan for the present. They have no Vessel of the other Navy. If they can retain their authority over the Neighbouring State of Tabasco, they will do well, and even this is yet very doubtful. The Departments of War and Marine have called on Congress for money and means to obtain a Navy. The project of Government Says, it shall consist of nothing larger than Corvettes, and not more than 3 of these, 4 Brigs, 6 Schooners, 3 Steamers and 4 Gun Boats — armed I suppose. The total cost is estimated at 1½ Million of dollars, and the annual expense at One Million of dollars. — This will be passed by Congress but the ways and means will be hard to find just now. Gen. Urrea has been re-called from the Command of Matamoras, and is now on his way to the Capital. Gen. Arista has taken the entire command of the whole of the Northern Division of the Army, and all frontier Departments. — It is said that he has under his Orders 4 Troops. — New Mexico, it is believed, has declared for Federation, Independence, it is said here, by some, through the aid and Texians. — The topic of the intended Recognition of Texas is still adverted to, by the papers, and insisted on by some — I have hitherto denied any such plans, or intentions. — we know nothing positive, but it is said to be resorted to by this forces. — The Million Loan [illegible] about 80 ℔% cash. 5 to 8 ℔% of its

now like to hear Something of our own affairs, in relation to which I have but little to say.— On the 3rd July a call was made in the House of Representatives on the Executive, for any and all information and Documents in his posession, in relation to Texas, and on the 10th Inst the Government sent in, all the papers, Documents, and Correspondence, in its posession, with the report, and action thereon of the Government and Council.— The papers enclosed.— Urgent to be acted on, with closed doors, and the Speaker of the House, on introducing the Subject, said, that the Subject was of the highest importance, and he particularly requested the most rigid Secrecy on the part of the members.— the papers were read and passed to a preexisting Special Committee, on Texan affairs, of three Persons.— Yesterday, one of the opposition papers announced the the fact that the Subject was before the Chambers, on a motion made by such a Member, and that Government had recommended great Secrecy in its discussion. The Committee will not report Sooner than 10. or 8 days hence.— I trust they will report in accordance with the wishes of the Government & my own, and I hope the House will Sustain the report, and that I shall therefore be called upon, in due form, to Open my Negotiations, with the Secretary of State, by my propositions, in full. If then within the Sphere of my instruction, and the discretion, which I must necessarily exercise, to some extent, I can make my propositions, so far acceptable, or admissible, on the part of the Government as to induce it, to exercise all its influence in the Chambers, in the Ratification of the bases of the arrangement, I think I will then have succeeded in obtaining a Treaty of Peace, Recognition, Indemnity, and limits.— If we cannot agree in the Cardinal points, we may in some of them, and I shall, at least, be able to ascertain, how far, they are willing, now, to go, to meet your views, & Some good may therefore grow Out of my mission.— Any Conjectures beyond the above, would appear Superfluous.— I have ventured to anticipate this much, for your information, and as I trust Satisfaction, and that of your Cabinet.— I must however again beg leave, respectfully to remind you, that nothing can be more uncertain, than political Calculations on such a delicate Subject, in such a country, and at such a juncture, as the present.

I beg leave to refer you, to an Official letter I have this day addressed to the Hon the Secretary of State, which goes with this.— I am remain with great regard and respect, Your Obedient Servant;

(Signed) James Treat

(To)
Gen M. B. Lamar
Texas

Mexico July 13th 1840

Sir! I have the honor to acknowledge, the reception of your Communication of 7th of May; both Original, and Duplicate, having reached me, on the 6th Inst, and I have carefully examined its Contents.— The Communications which I have already had the honor to address to the President of Texas, and my dispatches of this days date, will shew to the Department I have the honor to address, the exact position, which, I now occupy, in reference to the execution of the Presidents instructions, with the Government of Mexico.— They will also shew, that the efforts made by Government, to procure from Congress, the necessary authority, to open formal Negotiations with me, evince, on their part, (so far as I can judge) a decidedly favourable, disposition as regards some, amicable arrangements with Texas, and, they have adopted, what were deemed, the best means, to carry out their views.— The course adopted however, has been attended with great delay, (yet almost inevitable) arising from the very singular Organization of the Government, the peculiar State of Politics, and of parties, and the extreme delicacy, and difficulty, involved

on the question at issue. The Government therefore, being Compelled to rea
Congress, before it Could act formally in the premises, and having now, Succeeded
that Object, it remains, to be seen, Whether, the influences which can be b
to bear on that body, shall prove Sufficient, to induce it, 1st to authorize Go
to treat with me, and receive my propositions, and 2nd to approve and ratify,
bases of these propositions, and direct Government to Close a Treaty, under said
and such other general, and Secondary, provisions, as it may deem expedient
to make known my Conditional instructions, to withdraw, nor, to act, und
them, at the present moment, until I See, What the report of the Committee
may be, on the general question of Texas; the Consequent action of the Dep
and, (in the event of these being favourable, how, the Government receive my prop
sitions, Whether fully and legally authorized by the Chambers, to open a Confer
and Negotiations, on the Subject of my Mission to Mexico. — I hope, and
Venture to believe, that the latter period, will arrive) if no unfortunate eve
should occur, to suspend, or vary, my anticipated action, of Governmen
and Congress, as regards the policy, which, I think they have marked out
and, therefore, I have thought, I Could keep, your last Communication, in rese
advantageously, to meet any Sticking point, that may arise, on the part of the
Government, on the "Sine qua non" or, Cardinal points and Conditions, Whic
I Shall be Compelled, in Virtue of my instructions, to present to them, for the
Consideration, and decision. — So long, then, as matters Shall Continue to
go on Well, and favourably, I Shall Consider, that the position of things, is no
"decidedly favourable" to our Overtures for Peace" that your instructions to "withd
from your e Agency" are not to be acted upon. — But, whenever anything indic
a change, in the Cours of things; an unjustifiable delay; or, I Shall come, to a
Stopping point, where, both parties seem determined, not to give way; in fine, w
-ever, I can make use of your instructions to an advantage, either to accelerate a
-tion, or remove Obsticles, I Shall then, act upon them, and such other, incident
arguments, as may be judiciously drawn from them, and circumstances, to prod
the desired effect. — — In adopting this plan of procedure, I Conceive, that I
for the present, best fulfilled, the Spirit, and even letter of your instructions,
am pursuing a course, Corresponding with the Wishes of the President, an
the interest of Texas, as exhibited, in your last Communication, as well, a
in the general tenor of my Original instructions. — Having Come to t
foregoing Conclusion, I thought proper to Consult Mr Patenham, who
first impressions, was to make use of the Contents of your letter, at once,
but, after discussion, and reflection, he fully Coincided with me, to
hold it, in reserve, for a future day. — — I hope, therefore, in view of the rea
-ns herein Contained, and those embraced in my various dispatches, the
Department, and the President, will approve the Course, I have thus,
temporarily adopted). — I again refer the Department, to my letters to
the President herewith, for all further particulars. — — — — — — — —

I have the honor to be, with great respect, and Considerati
Your most Obedient Servant — — —

(Signed) James Treat

To)
The Hon. Abner S Lipscomb
Secretary of State, Texas.

Private.

Mexico July 23rd 1840

Sir. — My last respects, were under date
Copy which, you have enclosed, and to it, I beg leave to refer
the hopes and expectations, I then entertained, in
Negotiation. — I also, crave reference to
Your Secretary of State in

Since then, the Scene has changed, and the event; So long, and so much, apprehended, has Occurred: Viz. a Revolution, so far as the Capital is Concerned.— The movement is on the part of the Federalists, against the existing Central Government; and, as yet, the question of Supremacy, remains undecided, although this is the ninth day, since the Commencement of the Struggle.—

During the night of the 14th and morning of the 15th Inst. the Federal party and forces, made a quiet movement, and seized upon, and took possession of the Palace, and Secured the President Sustamente, and his Suite, without firing a gun.— Making the Palace their Head Quarters, all those who were disposed to Join them, flocked thither, while the Government Troops were Organizing at the Arsenal.— Mr Farias, the leader of the Party, was called to the direction of affairs, at the Palace, as President, with Mr Lejon, as his Minister of the Interior, the Command of the Revolutionary forces being Confided to Genl Urrea. On the Government Side, the troops were Commanded by Major Genl Valencia, and the only Minister that appeared, was Almonte Secretary of War, as the Organ of Government.— The Govmt intimated to the revolters to surrender, in two hours, or an attack would be made on the Palace; and up to 2 P.M. both parties were marching troops posting their Cannon, and Securing such of the Churches, Convents, and advantageous positions, as were within the jurisdiction of their respective Cannon.— A negative to the Summons was given, the hour expired, and the Government troops Commenced an attack at 2 P.M. on the 15th.— The firing was very active for an Hour or two, both of Cannon, and Musketry, and the loss of life on both sides, probably nearly equal, tho very small, as it was pretty much of long Shot, as usual.— The firing Continued tho languidly, and at intervals, from both sides, during the day and night; and next morning the 16th when a Cessation took place, and a parley was brought about, by President Sustamente, who had been liberated from the Palace, that morning, as is said, for the purpose of bringing about an arrangement of differences.—

Commissioners from both sides met, but could agree on nothing, but to terminate the question, by Arms.— At midnight the firing re-commenced thus shewing that Negotiations were at an end, for the present.—

This is in Substance what has Occurred during the first 48 hours of the Outbreak, and from that period, to the present, the Story is a brief one.—

Sustamente, and all his Ministers, and probably his Council, have assembled in the Convent of St Augustine, which is the Head Quarters of the Govmt.—

They have declared the City, in a State of Seige, and under Martial Law. They have received, and are receiving re-enforcements of troops, from the surrounding Cities, and Sound, are extending their lines, as opportunity will permit, increasing the battering Cannon, and during the whole of this period of six days, have kept up, an occasional firing upon the Palace, day and night, which has been as constantly returned.— The Palace, also, has received some re-enforcements, and their respective forces, are not far from equal, nearly all those of the Palace being infantry, while a majority of the Government forces are Cavalry.— The City was deprived of its usual supply of Water, for about 48 hours, by order of the Government which is now restored.— One or two Sorties from the Palace, and three or four active attacks from the Government troops, have been the occasion of some severe firing, for an hour or two, generally in the night, and with these exceptions, the firing on both sides, has been casual, and desultory, just enough, to prevent either party, from advancing, or securing any new positions.— The Government at the Commencement, dislodged them, from one, or two important Outposts, but latterly they have gained no decided advantage, their

So

spentially, about the same; as, at the offset.— Meantime no movement (so far as we know) has taken place, in favour of the Federalists, but the Depan so far as heard from, and according to the Government Bulletins, responsd, in of Government.— Gen Santa e Anna (even ready to put down the Federalists wi whom he has lost Caste) has arrived at Perote, with, as is said, about 10[illegible] troops, whence, he will probably move, and act, according to circumstances.—

He tells the Government that he is ready to Co-operate in the restoration Order, and Maintainance of the existing State of things.— It is indeed re ted, that he will arrive here, or in the Neighbourhood, to day or tomorrow, but this is uncertain.— It is very probable, he will Come, but how soon, is doubtful.— What I have said of recent events, is from the best grounded reports, and rumors, and a rational deduction, from all that is said, pen and Con.— Facts, we cannot ascertain, as we are all shut up, and u able to visit any one, without the risk of a random Shot, or shell, which are almost Constantly, flying over, and around us.— I fear my Dear Sir, I have already exhausted your patience with my necessarily, dull and long report, of Nine days Revolution, and fighting, without Coming to any Conclus -ion.— As regards the final result, and its bearing on my affairs, I will venture to remark, that, if the Government succeed in putting down the Rev -lution, without the intervention of Santa e Anna, public affairs, will re- assume their former position, more, or less, and my negotiation, will be re- -sumed, and Carried foward to an issue, perhaps, more rapidly, in conse- -uence of late events.— If again, the Government are Compelled, or induced to call in, or accept, the aid of Santa e Anna, and his troops, he, will Co-operate to put down the Revolution, but, all the rest, will be, for him -self. Should he appear as Mediator, at the Call of his friends, & parties and not in accordance with the wishes of Government, the troops may declare him dictator, and the Conservative Power, may Confirm it.— However, the affair may terminate, or whoever may reach the administration of the Govern I shall, as soon as any degree of Order is restored, press the Object of my Mission, to the most speedy termination, posible, and, in the event of my being unable to do this, promptly and successfully, I shall, pursuant to my Contingent instruct withdraw, from my, Mission.—

July 2[illegible]. This, was intended to go, by the British Cabinet Courier, to have left on the 24th, but the Minister has de -layed the Messenger, until to morrow Morning, when he departs for Vera Cruz.— This delay, enables me to announce, the termination of the Revolutionary movements, in the Capital.— On the 24th & 25th the firing was kept up among the Belligerents, and at times very briskly but for last two days, there has been but very little, and since Yesterday, Noon, not single Shot has been fired.— The Archbishop, proffered his mediation the Federal party, and then went to Government where, during the last nigh and this Morning, a sort of agreement, Capitulation, or at least, understan was entered into, between the parties, and this morning neither of the two ch -iefs, were to be found, in the Palace, Gomez Farias, nor Urrea.— The officers, signed, or agreed, to, the arrangement.— The terms, have n transpired, but it is believed, that Farias escaped, from a hopeless ente and that Urrea sold himself to Government, and then, ~~and then~~ went -itled) to escape also.— Santa e Anna at last accounts, had rea Puebla, and was Coming on, with all his forces, and whether, he advance to the City, after he hears, that the federals have succum to be seen.— It is rumored, that, by the arrangement, Pu and if so, Santa Anna may be called to his place, in falls, and Santa

We reach Brazos, and if Congress, still Occupy their Seats, as is probable, Shall we Declare, that they Functions may be, much abbreviated, and may succeed Easterly — Either there, or Santa Anna will advance declare any and all Actions, upon the Operations, and case the Absolute Cry of an expedition against Texas, to enable Secession to reorganize and increase the Army, for his ambitious views and fine prospect — One of these Courses, Situate is most likely he will adopt, if his Epic Code Power (which is yet doubtful) one of the two, We think the former the most probable — If Bustamente, and his Ministry advance, and Santa Anna, does not Come in, at all, things will probably move On, as before, and may affect (as those before did) Congress (those more rapidly) to a far more alarming Space — — Such are the Appearances of any positive data, in all I shall now, Entertain to Conjecture — Whose as destiny is settled, shall work fast, for better to advise you — Shall be honest to be, with the highest Respect and Consideration, Your most Obedient Servant

(Signed) James Treat

To)

Gen. M. Belamer

Austin, Texas.

Postscript, Sat. Dy. Morning —

Since the foregoing, things have settled down pretty quietly, although Martial Law is still in force, and will be, until the first proximo — This has led some to believe, that this measure is intended to promote Santa Anna's views, should he come — he was despatched to beat Puebla last evening — The Government tell him, all is over, and his presence not required — His friends, no doubt, tell him how things are situated here, and, whether, he will return home, under his disappointment, at not having a finger in the pye, or push abroad, and Compel Bustamente to resign, and he get in, as President, or Dictator, remains to be seen — If he brings 1000 good men, he can do what he likes, with the aid and Co-Operation, he will find here, Some however, inclined to believe, that the present administration of affairs, will return to the former parties in power, and remain for a while, tho many think, the Ministers, if not Bustamente, will resign — We have no proclamation from the President) Yet announcing the restoration of Constitutional order, and Convening Congress — They are probably waiting to hear from Santa Anna — — This, is all I can now add, for your further information, but you shall hear again from me soon — — Sam very Respectfully, and in great haste, Your most Obedient Servant (Signed) James Treat

Confidential

Sir! Mexico August 11th 1840

I have the honor to hand you herewith Copies of my last dispatch bearing date from 23d to 29th Ultimo inclusive, by which you will perceive that the Revolution, which broke out here on the 15th and Continued until the 27th Ultimo had put a Stop, for the time being, to all Ordinary public business, and of Course to mine — I had hoped, and it was generally believed that the Government having Completely triumphed over the Federal Party, would, after a few days, restore things to their accustomed tranquility, and proceed, in the affairs of Government with more Strength and popularity (at least Nominally) than before — —

But the reverse has been the fact, and their Course (Certainly a very difficult one under existing Circumstances) has been marked with a timid and Constantly vascilating policy, up to the present time — For some days after Martial Law had expired, they apprehended another movement, on the part of some of the Military of high rank, having for their object to

and there was 8 or 10 days before Santa Anna by Countermarching his troops, retiring himself to his residences, relieved the Government from any immediate apprehensions, as regards his course of Policy.— Many, however, still think he makes a virtue of Necessity, and only waits a fit Opportunity, which he has recently lost by Mismanagement, to draw his sword, to save the Republic or be invited by Circumstances, again, to take the helm of State.— The Ministry then attempted a resignation feeling their situation, rather weakened than otherwise by the Revolution, and public Opinion seems rather to mark out to them this course, as the terms of the Capitulation in the Federal Revolution, were neither popular, nor, as many thought, Creditable to the Government.— Bustamente could not make up a New Ministry to his mind, and of course opposed the Resignation. Mr Cuevas however, the Minister of the Interior, has resigned, and his place remains Open, although it is reported, to have been offered to several persons, who, it stated would not agree to the conditions annexed.— The Cabinet, as a final measure, and one of which their Continuance in office would depend, agreed to ask, in the mode pointed out by the Constitution, for extraordinary powers, and the initiative of the law, has already passed the Chamber of Deputies, and sent to the Senate for Concurrence, where, if concurred in, it goes to the Conservative power for Confirmation.— Its fate in the Senate is somewhat doubtful, tho it is generally thought, it will pass in some form, perhaps with modifications.— In the Conservative power, it is impossible to Conjecture the result, depending entirely on intrigue and ulterior Views.— This Corporation is composed of five members only.— If the Government do not obtain the extraordinary powers, in some shape, or to some extent, the Ministry will then resign, at least the Secretaries of State and Treasury, for it is believed that, in that event, Bustamente will retain Alamante as a Nucleous of the New Cabinet.— Thus you see my Dear Sir, how easily a month may be lost, and one finds himself rather retarded in his progress than otherwise.— It has been painful to me in the extreme to witness these delays, and it is even more so, to be compelled to relate them to you, as I know, they will be any thing but satisfactory to yourself and your advisers.— —

I have said thus much, however, that you might the better understand my exact present position.— I have seen the Secretary repeatedly during the interval, and must do him the Justice to say, that, from all appearances he has lost none of the interest, which he has uniformly felt, and express in our question.— He declines, however, in the present agitated State of affairs, to urge the Committee, who have Charge of my papers, to make a report, and this bring the matter, at once, before the Chambers, for discussion and especially while the question of the extraordinary powers asked for, remain undecided.— If the powers are granted, he has an accession of strength, to carry the Texas question foward with more Eclat, and if they are not granted he quits office, and I must understand myself with his successor.— I shall, in that case however, Count upon all his influence in favor of the question.— If I am Compelled to reopen, or Continue my Negotiations with a New Secretary, I shall adopt a very brief plan, in which I will endeavor to avoid any further procrastination of any moment, in bringing the matter to some Conclusion.— I write Without Knowing of any Opportunity to send my letters, unless Via Havana. I send herewith a Duplicate of my last to the Hon the Secretary of State, to which I have nothing to add except what I have herein Communicated.— I remain very truly & respectfully, your most Obedient and very humble Servant

(Signed) Same

To)
Genl. M. B. Lamar
Austin, Texas

Private.

Mexico 17th August 1830.

Sir, I have the honor to hand you herewith Copy of my last respects of 13th ultimo to which I beg reference, should the original not have reached the Department. I beg leave, most Respectfully, to refer the Department I have the honor to address, to my dispatch to Gen. Samar, of this date, which goes herewith, for the particulars of what has transpired since my last advices of July 22nd to 29th inclusive copies of which are now transmitted. In addition to which, I have only to remark that, as soon as the Government had become a little settled, say on, or about the 1st August, I thought it opportune to advert to your Confidential instructions of 7th of May, in an interview I had with the Secretary of State, hoping it would produce a declared action on his part, in relation to my questions. The Conversation that took place undoubtedly produced an impression on the mind of the Secretary, and especially when I informed him, that my late instructions would not permit me to remain much longer without some decisively favourable progress, in the question of Texas, thereupon before him. But the peculiar position of the Cabinet and particularly Of the Secretary himself, has induced a Suspension, for the time being, and until the question Of Extraordinary powers asked for by the Government shall be decided, as well more fully, and at length as appear, by my Communications of to day, to the President, to which I again respectfully refer the Department. Without any thing further Of moment. I have the honor to be, with great respect and Consideration, Your most Obedient and very humble Servant. (Signed) James Treat

To the
Hon. Abner S. Lipscomb,
Secretary of State, Texas

Memorandum

The Confidential Agent of the Government of Texas, having received recent official advices from that Government, deems it his duty, to submit to the Consideration of the Government of Mexico, the following facts and observations.

The Government of Texas assures the said Agent, of its Continued, and earnest desire for Peace, which has been so long, and so fully evinced, not only by an entire suspension of hostilities, for a long period, but also, and more especially by its strict and rigid, perseverance in the Neutral, and friendly course it adopted, more than a year Since. The said Government also assured its Agent in the most positive, and unqualified terms, that it has, during the above period, Constantly, and unhesitatingly refused all manner of aid, Countenance, or Co-Operation, either direct, or indirect, with the forces, which, in opposition to the Mexican Government have, at different times, and under different Chiefs, assembled on the Northern frontiers of Mexico, and have, furthermore, taken the most active measures, to prevent the enlistment of Texan Volunteers, under said Chiefs, as is already known to the Government of Mexico.

It has not been able entirely to prevent this evil, it has, to a great extent, lessened it, and at least manifested, by its efforts, its disposition to avoid any just cause, of offence to Mexico. With the professed friends of the Mexican officers on the frontier, of a premature invasion of Texas, Confirmed, in some degree by the apparent preparatory measures of Government, and the long delay of the Agent of Texas in Mexico, without having been able, thus far, to give any positive, or satisfactory assurance of a friendly arrangement of existing difficulties, between the two Countries, it is not strange, that Texas should be preparing itself for events. Hence the [illegible] being of a respectable

defensive, to preserve its long professed neutrality, and National within its own borders. ... Hence, also, the present cruize, in the Gulf, of a portion of its Navy, (having remained in Port, armed, and equipped for service, nearly a year) but with instructions to the Commander, to act on the defensive only, and to commit no act of hostility against Mexico, so long as Negotiations are open and pending between the Government of Mexico, and the Agent of Texas. ... It affords the Govt of Texas the utmost satisfaction, this to be enabled to assure the Government of Mexico, in the most positive and solemn manner, of the entire good faith of the Government of Texas, in all the foregoing facts, declarations, but at the same time the said Agent would not fulfil his obligations to the Government of Texas, nor his duty to himself, if he omitted to state the evils, of which the Government of Texas complains. ... Although the Government of Mexico has not recently invaded Texas, by any regular armed force, yet Texas has long been, and still is, suffering from the frequent incursions of small predatory, and marauding parties, who traverse the frontiers the frontier of the Country, and commit depredations on those remote frontier population. This is an evil which the Government of Texas feel, they cannot any longer submit to; and this, probably, is another reason for sending an Armed force to the Line, to protect the inhabitants of the borders from these wanton, incursions, which can have no national object, and the result of which is, merely, plunder, on the one hand, and exasperated and vindictive feelings, on the other. ... The Government of Texas also complains that Mexican Officers, or Agents, have been and still are engaged in exciting the Indians, both within and without the limits of Texas, to commit hostilities and depredations, against the people of Texas. ... This is calculated to keep the frontiers of the Country in a constant State of alarm, and compels the Government to keep a respectable force of Mounted Rangers, traversing the frontier of the Indian Settlements. ... This is a serious annoyance, attended with much expense to the Government and, as in the former case (as the inducements of the Indian is plunder) productive of no possible National good but much evil. ... The Govt of Texas does not assert, that these acts emanate from, or are sanctioned by, the Government of Mexico; but they are nevertheless evils of a serious nature, and from which, they think she ought to be exempt; at least, during the pendency of amicable Negotiations, and while that Government sustains the neutral and friendly attitude she has heretofore, and, up to the present time, continued to observe. ... The Agent dismisses the Topic, which he has referred to relatively, and only from a sense of duty, in the fulfilment of instructions, and to advert the continuance of evils adverted to. ... The Agent concludes by observing that he hopes, what is herein stated, together with what was previously known to the Government of Mexico, will show satisfactorily, and conclusively, that the Government of Texas ever has been, and still is, sincere in its pacific declarations; that it prefers Peace to War; that it desires still a friendly arrangement of existing difficulties with Mexico; that the Measures she has adopted the past year, and the continuance of the Agent here, during a period of more than eight months awaiting the action, and decision of the Government of Mexico will amply prove the Constancy, and perseverance, with which, she has maintained an absolute Neutral attitude, and pursued her purposed plan of obtaining a peace, through friendly Negotiations, rather than resort to hostilities. ... That the sacrifices She has already made, to secure the blessings of Peace, cannot be continued indefinitely; and finally, that it is for the Government of Mexico, now to decide, what shall be the future relations, between the two Countries, whether friendly, or inimical. ... The Agent begs leave to suggest, that the evils, which must result from an open Coast, that Mexican Vessels, are now in the Gulf

officially, that the Object of the Squadron is of a pacific Character, and they can, therefore, proceed to Sea, as heretofore, without any risk of Capture, as already before Stated. And the Agent further remarks, that, if the Government of Mexico will proffer the hospitality, and protection of its waters, say the Rio Grand, of Sacrificio to the Texan Vessels of War, the Agent will invite Commodore Moore, who Commands the Squadron, to avail of this offer, and thus allay all apprehension of any immediate hostility. The Agent most Respectfully submits the preceding facts, and Observations, to the Consideration of the President of Mexico, with an earnest desire that they may receive that Consideration, which the Agent believes their intrinsic importance will justly entitle them to

Mexico August 19th 1840

Confidential

Sir, Mexico August 21st 1840

I have the honor to wait on you, with duplicates of my last respects of 11th Inst., to which I beg reference, in case the Original is not to hand. I further beg leave to refer you, most Respectfully, to my dispatches herewith, addressed to the Hon the Secretary of State; which, will inform you, of the present State of my Negotiations, the actual position of the Government, and also, of my own. These, Sir, your recent excursion to the Island, will have fully restored you, to your accustomed health.

I have the honor to be, most Respectfully, and with the highest Consideration, your most Obedient Servant. (Signed) James Treat

To
Gen Mo Dr Lamar
City of Austin, Texas

Confidential.

Sir, Mexico August 21st 1840

I have the honor to wait on you, herewith, with Duplicate of my last respects of 11th Inst. which was accompanied by a dispatch to Gen. Lamar of same date, and to which, with the duplicates therein inclosed, I beg leave, most Respectfully, to refer the President, and also the Department I have the honor to address, for the particulars of events here, up to my latest date.

I have now the honor to acknowledge the receipt of your highly valued dispatch dated at Galveston City 13th June, which I have carefully examined, and shall be governed by its Contents, so far as Circumstances, and sound policy will permit, in bringing to a close the Objects involved in my mission. I submitted your Communication to the perusal of Mr Pakenham, who was evidently much gratified with its Contents, and with whom I have, thus far, had the good fortune, to concur in every thing of any moment, touching the Course, I have persued, in the execution of my Mission. Your dispatch, although sent into Vera Cruz by Commodore Moore, on the 5th Ultimo did not reach me until the 13th having been inadvertently delayed four days, and four days more, which is the Course of Post, brought it to hand, only on the 13th which deprived me of the probability of transmitting a letter to Commodore Moore, within 13 days, which you name, as the period, which one of the Squadron would await my dispatch. The method pointed out, to send my advices to the fleet, (supposing one of them to be in the position you name) through Neutral Vessels, outward bound, from Vera Cruz, is necessarily very precarious, as such a service is always reluctantly undertaken by Captains, in Consequence of the very possible responsibility of vitiating Insurance, by a deviation from the direct and legitimate Voyage, to say nothing of the annoyance, of the Mexican authorities Should they be discovered. It has, however so happened,

the interest

the Commodore, at the present moment, as I am still awaiting the result of a Now of Extraordinary powers, on which the present ministry will stand or fall.—
Nor case I had any thing favourable to a friendly issue of my mission, to send me the Government would, I think, permit me to do it openly, but I wished to advise unfavourable Close of my mission, it is not to be expected, that they would facilitate my Object, but rather oppose it.— Under date of the 19th Inst. I prepared a Communications, the form of a Memorandum, and Yesterday sent it, to the Secretary of State, transmitted through Mr Pakenham, who took occasion to recommend it Subject to the Consideration of Government.— I adopted this Channel, as I was satisfied, it would gain Strength, and, at the same time, be more acceptable to the Government.— I hand you a copy, enclosed, of said paper, for the information of the President, and the Department.— In framing this Document, I had the following Objects in View.— To give Course to the Contents of your letter, and so far, fulfil the instructions of the Department, as to apprize the Government of the Complaints of Texas, as well as her views, wishes, and present pacific and Neutral attitude. To Cover, more or less, the whole ground of the present position of your Government, and by bringing the whole Subject, anew, as it were, before the Govt to shew the necessity of some immediate action, on their part.— I made it not as strong as I might have done, in View of your late dispatch, but as energetic, and pointed, as I thought good policy, and the present position of things rendered expedient and with a View to promote Our ultimate Objects.— How far I have succeeded in Combining the various Objects in View, and how far it may be satisfactory to the President and Department, I must wait to know, but I crave in its behalf, your indulgent Consideration.— I have shewed the rough draft, to Mr Pakenham, who assured me, there was not a Sentence in it, he would wish to amend.— At his request, I furnished him my draft, to make a copy, which, I doubt not, will be forwarded to Lord Palmerston by the proximate packet, to sail from Vera Cruz 25th Inst.. I anticipate that Memorandum, together with the Verbal Conversation, previously had, on the same topic, with the Secretary, in which I expressed myself plainly, and explicitly, will produce some action, on the part of Government, which, if not exactly Conclusive, will enable me to judge, with more certainty than I can this moment, what their present intentions, really are.— What I regret is, that the result of its effects, will not be in time for this Communication.— The Government may take it in dudgeon, as a document too plain and categorical for Rebels, to present to their Legitimate Government when suing for Peace, Recognition, but, should they do so, it will be a mere pretext, to dodge the question.

I beg leave further to remark, in reference to my Memorandum, that it was necessary to take into Consideration, that it would be laid before the Cabinet and President, and, perhaps, the Council and Congress, and hence, the necessity, or expediency of Couching it, in respectful and moderate terms, to avoid exciting the false Pride of some, and the hereditary notions of national honor of Others, hence also I thought it good policy, to exonerate the Government indirectly, from having authorized, or directed the petty hostilities, complained of, in your letter, and my Memorandum.— As regards the interrogatories contained in your Communication, it is difficult to reply to them, categorically, satisfactorily, at the present moment, and, as I am situated; but a general answer, may be infered, by the tenor of my present, and late advices.— I will however remark, that the Vicinity of the Squadron has produced no palpable visible effects, thus far, either favourable or otherwise, on the part of, or in the public mind, this may be attributable to the agitated public affairs, and the fact, that only one of the Squadron has been seen, or reported.— Two Mexican Steamers, were on the 8th Inst. at

Proof, which had been boarded by said Schooner, that She was Texian ... This is the return of the Vera Cruz Packet ... She authorities of Vera Cruz took the declaration of the Captain of the Vera Mexicana Corpo, and forwarded them to the Government ... These declarations, the Secretary of State informed me, stated, the Texan Schooner had Captured one of the Vessels, but gave me no further particulars ... This matter of Capture, I denied most positively, as having been made by Commodore Moore, or any of his Vessels, unless indeed, in Violation of Orders, which not for a moment, to be presumed ... Private letters say, that the Schooner took some Brandy, from the Vessel boarded, and do not add, that they paid for it, (as is no doubt the fact) if the Story be true ... All these, are matters, to be enquired, into hereafter, for the Government to have reason, and are calculated, to produce delay and Suspicion ... Hence my positive declaration, that the Object of the Squadron, was pacific, pending my mission ... Hence, also the Suggestions, at the Close of my memorandum, of assuring the apprehensions of the Mexicans, as the Coast, as regards Capture, and the use of Hostilities, by Commodore Moore, under the guarantee of hostility and protection, if they they Should grant it; which I much doubt, I would, if I can get a letter to the Commodore, Suggest the use of the Offer of this Government, and, of Course, leave him, to decide, whether his instructions or his duty, would be interfered with, by such a course ... The only benefit, by sending in a Schooner, for instance, would be, that She Could receive my dispatches, and Convey them to the Government, or the Commodore, whenever they were of importance, or decisive of my mission, and the further advantage, of Shewing to the public, that the Government was entertaining some arrangement with me, and willing for one to be on good terms with us ...

I am indebted, for your instructions, as regards a Truce, and Texas, as well as Mr Pakenham, that if, I fail in the Treaty, I may obtain a Truce ... How long it will require, is very uncertain, but I ought to get, all Texas over by the Month of May, if unsuccessful; and, perhaps, more, if we have to adjust a Treaty or Truce, either of which will require Some details, and they are So everlastingly slow in all their movements ... I shall therefore, under the discretion, the President has thought proper to Confide to me, await a reasonable time, according to Circumstances, and endeavour to Carry Out my instructions, (unless the door is Closed against me) but no longer than I can entertain a reasonable prospect of Some Success ...

The foregoing is all, I can now State, for the information of the President and the Department, I have the honor to address ... Mr Pakenham expressed himself entirely Satisfied with your reply to his business, as regards the Vessel in question ... I note what you Say as regards Yucatan, and Shall bear the Subject in mind ... I have you a copy of my letter to Commodore, but it is very doubtful, if it reaches him; though I Shall endeavour to effect the Object, if possible; if not, it will reach the Department ... I trust the President's health, will have been fully restored, by his excursion to the Island ... Herewith is a few lines to him, yet I refer him to this Communication, for information of my position ... ...

I have the honor to be, Very Respectfully, Your most Obedient and very humble Servant.

(Signed) James Treat

To Abner S Lipscomb,
Secretary of State, Texas

Confidential

Mexico. August 21st 1840

Sir ... On the 13th Inst. I had the honor to receive a dispatch from the Hon the Secretary of State dated at Galveston 13th June which Came to hand through H.B.M. Minister Richard Pakenham Esquire ... By this Communication I am apprized of your being in the Gulf with Some three or four Vessels of War, under your Orders, and in fact, that you was in the Port Vicinity of Vera Cruz, about the 4th Inst, as my dispatch was receiv[ed]

Vera Cruz about the 5th Inst. but unfortunately were inadvertently delayed there 3 or 4 days, which, with four days Post route, delayed its reception here until the 9th Inst. This I very much regretted, as it deprived me of the possibility of placing the Ltr in your hands within the thirteen days, named in my dispatches* to Vera Cruz.

Besides the method of Conveying my advices to you, pointed out in my letter from the Department of State, is necessarily very precarious as no master of a Merchant Vessel (or very few) would be willing to incur the possible responsibility of a deviation from their legitimate voyage by taking dispatches to be delivered at Sea, and perhaps the further risk of trouble from the Government should they return here, and the fact be known. Consignees of Vessels in Vera Cruz, I am persuaded, would, in most instances, object to it and Captains would doubtless consult them, who, of Course, have not the same difficulties to Contend with, in Sending in letters to me, under Cover to the British Minister. The only way I could remedy this difficulty, in case my dispatch to you or to the Government were highly important, would be, to Send out, from Vera Cruz, a small Craft expressly, and, of Course, by permission of the Government, which would on grant it, if my advices were favourable to a continuance of peaceable relations. If for Instance, I Wished to inform you, that my Negotiations were broken off, without any favourable result, the Government would not of Course, facilitate my Communications with you. In the latter case, I should leave immediately for Vera Cruz, and should manage to find you, or one of your Squadron if then in the Vicinity, where the transmission of a dispatch would be very doubtful. As, it is, however, I am in doubt what will be your Course, after the Lapse of thirteen days, and you receive nothing from me, whether you will leave the Vicinity with the whole of the Squadron, or let one of them remain, to receive any thing that I may be able to send you, I am left to Conjecture. My instructions require that I Shall immediately apprize you, in the event of failing in my Mission, and this, I Should assuredly do, as Soon as possible, either by letter, or in person, if I Knew that one of your Vessels, would be in the position named, in my dispatches but when I Shall obtain a final decision from this Government is yet doubtful. My Negotiations have been retarded, and are now, for the time being Suspended, owing to the uncertain position of the Ministry, as it depends on the result of Legislative measures, now in progress, whether they will resign or Continue in office. This unsettled State of things, arises from an attempt at Revolution, which took place in this Capital on the 15th July, and Continued undecided until the 2nd of the Month, when it was quelled by the Government, which up to the present time, has not become so far Settled, and Tranquilized, as to be able to proceed with my business. Hence, I cannot, at this moment, say any thing decisive, but must await events, as they transpire, which here are always Slow.

Those however, in the Course of about a week, I Shall be able to Judge (at much better than I can at present) about how long it may be before I reach a final decision, and whether that decision will be favourable to the Continuance of peaceful relations between the two Countries, or Otherwise. Under these Circumstances of doubt and uncertainty, and as my dispatch from the Department Says nothing of your movements, after the thirteen days, during which you would await my dispatches, I very much regret, that you did not favour me with a letter, informing me of your general movements, and particularly how long you, or any of your Squadron, would probably remain in the neighbourhood of Vera Cruz. This information would have aided me much to keep up a Communication with you, during your Stay in this quarter of the Gulf. I Still however anticipate the pleasure, of hearing, I hope you will have embraced the first opportunity of giving me information as will better enable me to direct

(and perhaps through you, the

of my

* as also pointing out to you my intended mode of communicating with you after the taking of my dispatches

Vera Cruz 24 Inst. for the Havana— If She falls in with you, you will receive and with it a dispatch for the Secretary of State, which please send forward by the first of your Vessels, that may be going to Galveston or New Orleans, or by any Vessel you may meet with, bound to the latter Port. If it misses you, all will go to the Department of State.— If you send my dispatch to New Orleans please place it under Cover to your Consul to be fowarded immediately.— This, my Dear Sir, is the best course I can adopt, to endeavour to reach you. — — —

The report of your being in the vicinity has reached here, by the return to Vera Cruz of Two Mexican Vessels, on the 6th Inst. which had Sailed the day previous, They report that a suspicious Schooner had Chaced them, and that they learned by another Mexican Craft that had been boarded, that the Schooner was a Texian.— They further State, that the Schooner, had Captured a Mexican Vessel.— This however must be a mistake Without doubt.— In view of my advices from Government I have not hesitated, to assure this Government in the most positive manner, that your instructions, were Certainly of a pacific Character So long, as my Negotiations with the Government were Open and pending.— This was Necessary or expedient, to allay the excitement produced by the report of your having Captured a Mexican Vessel— Another Story, is, that some Brandy was taken from the Mexican Vessel, to which, I have replied, that, if any thing had been taken, it was undoubtedly paid for, and that the Commander, had probably taken a receipt therefor.— I have informed this Government that if they would offer you the protection and hospitality of their Waters, I would invite you to Send in, one of your vessels to Sacrificios.— This might be attended with some advantage.— I will if I get a favourable reply, further advise you, (If I can manage to get a letter to you) when, in view of what, I shall then inform you, you can exercise your own discretion.— I am in daily expectation of hearing from you, in which case, I shall be the better able to Send you my advices, which I will endeavour to do, at all events, So Soon as I shall have any thing of importance, further to advise you. — — — I remain Dear Sir, Your most Obedient and very humble Servant. — — —

(Signed) James Treat

To) Com. E W Moore
Commanding Texan Squadron
in the Gulf of Mexico

Address me under Cover to the British Minister, Richard Pakenham, Esquire. Please send a copy of this to Govern when you can.— The above is a true Copy. E W Moore.

Sir

Mexico August 21st 1840

Mr Pakenham Sent me the enclosed Memorandum, with a request, that I would send it foward, and endeavour to obtain such information, as the Records of the Government or other means, of knowledge, within your reach, will enable you to give. — — — I could not, of course, do less, than fulfil his wishes, as he has rendered, so many valuable Services to our Cause. — — Such information as may be in the power of the Department to furnish Mr Pakenham, will be thankfully received. — Please address the reply to Mr. P. as I shall probably not be here. — —

Very Respectfully and with high Consideration, I remain, Your Obt Servt

(Signed) James Treat

To the Hon.
Abner S Lipscomb
Secy of State. Texas

Memorandum.

William Harper, in the Employment of Messrs. Creighton & Barkley of New Orleans, at the time when Gen. Houston went to the relief of the Texians against Gen. Santa Anna, joined the force under the former General. — — — He is reported to have been killed; and Mr Barkley has informed his a

in Ireland of his being entitled to a quanty of Land, offering to apply for this, shd they authorize it.— As there is no authentic account of Mr Harpur's death his relatives are anxious to ascertain the truth of the matter.— James Lewis, a Native of Wales, aged about 26 years, belonged to a Schooner Called the "Samuel Webster," which was Wrecked at Matagorda.— The Captain of that Port afterwards employ'd Lewis to look after his Yacht; no further information Concerning him has been Rec'd by his relatives.— No dates mentioned in this case.— — — — — — — — — —

Texas Sloop War Austin Off Point
Marian dreo, 25th August 1840

Sir!

Your letter of the 21st Inst. Come to hand this morning by the English Packet Brig Penguin, which Vessel left Vera Cruz yesterday afternoon; I will dispatch the Schooner San Jacinto tomorrow to Galveston, with you accompanying three dispatches, and a copy of yours to me agreeable to your request.— The Schooner San Jacinto has been off this place since the 21st July but has not captured any Vessel nor attempted to do so; She Chased two Schooners some days since and on one of them standing in for land, with the view, as was supposed of running her on Shore, the Chase was instantly abandoned to prevent injury to Mexican property.— Arrived off here with the Schooner San Bernard in Company on the 18th Inst. and have had, since I left Galveston, favourable opportunities Seven or Eight Mexican Vessels (Three I have actually boarded) not one of which has been molested in any manner whatever; Therefore perfectly safe in giving the Mexican Government the assurance that you did, and you may still rest perfectly assured, that so long as your negotiations are open, and "pending" no Mexican Vessel will be molested by any Vessel of the Texas Navy until I receive additional instructions from my Government.— — — — —

I Would have written to you myself sooner but supposed that letter from the Secretary of State had given you all the information, respecting my movements that was necessary.— — In order that you may without fail Communicate with me, or with my Government through one of the Vessels under my Command, you may be certain of either finding this Ship or One of the other Vessels of the Squadron off Point Marian dreo within twenty miles of the Land.— — I cannot see any benefit that would possibly accrue from having One of the Vessels of our Navy at Anchor at Sacrificios, and if it be necessary I can anchor this Ship within four miles of Vera Cruz without the protection of hospitality of the Mexican Government but in defiance of their whole force!! My instructions prevent my appearing off any of the Mexican Ports at present.— — I am in anxious expectation of hearing definitely from you at an early date, and hope most sincerely that the Mexican Government will acknowledge us at once, which it is Certainly her interest to do.— — — — —

I remain Dear Sir, Your most Obedient, and very humble Servant

(Signed) E. W. Moore

To)
Mr James Treat
City of Mexico.

The above is a True Copy. E. W. Moore

Texas Sloop of War Austin
Off Point Marian dreo
25th August 1840.

Sir,

The accompaning Communication for Mr James Treat I to you agreeably to his request, by having it delivered to him you will much oblige me.— — I have the honor to be, With great Respect Obedient Servant.— — — —

(Signed) E. W.

To)
Richard Pakenham Esqr
Her Britanic Majesty's Minister
&c. &c.

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Private.

Texas Sloop of War Austin
at Sea 28th August 1840
Latitude 25° 20' N. Longitude 96° 30' W.

His Excellency
M B Lamar
President of the Republic of Texas.

Dear Sir.

I send by the same Vessel that takes this to Galveston a Letter to you and two to the Hon A.S. Lipscomb from Mr Treat our Agent in Mexico; also a full report to the Hon the Secretary of Navy of my movements since the 22nd July at which time I last wrote, with copies of a letter received from Mr Treat and my reply. — —

By reference to my report you will see the disposition of the Federalist of Yucatan towards the Government of Texas, and their anxiety for the Co-operation of our Naval force; the weight of which, thrown at this time on their side would, I feel confident, be the means of Establishing the Federal Constitution throughout Mexico, when we would be acknowledged at once. — The Centralist are almost prostrate, and single handed with the means already at your Command (the Navy) you might, without the least prospect of being molested by them on the Frontier, dictate to, and no longer ask at their hands, that which they can be very soon be made to feel is ours already, Viz, our perfect Independence of them, and in my humble opinion they will never acknowledge it until they are made to feel it. —

With the navy manned as indifferently as it is, every Mexican Vessel can be Captured that dare put to sea, and their whole Sea Coast be kept in a perfect State of fear and trembling; why then should we temporize any longer with them, when if they had the power they annihilate every Male inhabitant of Texas and spread devastation and ruin throughout our devoted Country. — —

You may keep Treating with them until the expiration of your administration and will, in all probability leave for your Successor, whoever he may be to reap all the advantages of your efforts; now is the time to push them for they never were so prostrate. — — I remain, With great regard, Your Obedient Servant

(Signed) E.W. Moore

Texas Sloop of War Austin, at Sea,
Latitude 25° 05' N. Longitude 96° 36' W.
28th August 1840. — — —

Sir.

I received on the morning of the 25th Inst. a Communication from Mr James Treat bearing date 21st August and enclosing Two Letters to your and One to his Excellency the President, which are herewith enclosed, together with a Copy of Mr Treat's letter and a copy of my reply which I wrote immediately and put on board the San Bernard to be Sent in by the first opportunity and made Sail at once in the direction of Galveston on my way to the Cayos De Santiago, with the San Jacinto in Company intending so soon as my dispatches are all written to send her on with them and meet me again off Point Mariandrea. —

From the tenor of Mr Treat's letter I am under the full Conviction that we will never bring the Mexican Government to terms by Treating; backed even as we are, and as they are now assured by Mr Treat that our Vessels will not molest them theirs, So long as his Negotiations are open and pending, they will of Course keep them So, as long as they can possibly find a pretext, and it will not be long before their Vessels will be running, by ours, and they on board laughing at us. — — To obviate the difficulty that Mr Treat is labouring under in sending his dispatches out, if his Negotiations are still to be kept open, and pending, I would most respectfully suggest that I may be permitted to Cruize off, and close to the Castle of St. Juan de Ulloa, and board every Vessel, not Mexican, that Sails from Vera Cruz; by this Course Mr Treat would not have much, if any difficulty, in getting Captains of

Could not possibly know by what Vessel I received a Communication; and in event of his Negotiation being taken off, which I hope will be the case soon we are at once recognized, Mr Treat Could easily get on board of one of the not having to sail more than four or five miles..... With all due deference, Cannot refrain from the expression of the opinion that we have temporized too already; and if we let them see that we really are in earnest, by Capturing Vessels and annoying their Sea Coast, which we Can do with our Naval forces, last some extent, I cannot but believe that they will very soon Come to term. I have no faith in their promises, unless they feel that they can be forced to Keep them; the whole history of their Negotiations is strong proof of this pos=tion.— By my report to the Hon the Secretary of the Navy which goes also the San Jacinto, you will see that the authorities of the State of Yucatan are, or profess to be our friends; at all events their Ports are open to any Texan Vessel and they are anxious for the Co=operation of our Naval force..... At all events I hope something will be done before the meeting of Congress, and our present sup of Stores and provisions are exhausted; the fate of our little Navy depends on the issue..... I have the honor to be, very respectfully Your Obedient Servant

To the Hon
Abner S Lipscomb
Secy of State, Austin Texas

(Signed) E W Moore
Commanding Texas Navy

Duplicate of Copy

Memorandum.

The Confidential Agent and Special Commissioner of the Govern of Texas, once more, begs leave, most respectfully, to address the Government of Republic of Mexico, on the subject of his friendly mission, as he deems it his pa= mount duty, to endeavour, so far as possible, to move any wrong impressions, or mi= apprehensions, which may have been produced, by recent Events..... On these places, the Agent begs leave, to refer to his memorandum, dated the 19th Ulto. transmi through the Hon Richard Pakenham, and now has the honor, to reiterate and Confirm, Without any modification Whatever, its Contents, What the Agent then had the honor to State, in all good faith, and with entire frankness, and dire= ness of purpose, is not less true, Now, in any one respect..... The Agent understands, that this paper, has been placed before the Chamber of Deputies, for their Consider when the subject is presented for discussion..... The Agent is unwilling believe that any of the acts, attributed to the Commanders of the Texan Vessels of now an a pacific Curing in the Gulf, should have produced, in the mind of H. E. President, or his Cabinet, any Change, unfavourable to an amicable termination existing difficulties, and much less Can he suppose, that these occurrences can moment, be made the basis of a charge of incinserity, or bad faith, against the G of Texas..... The Agent Cannot perceive, why a friendly and neutral visit of Squadron to Campeche, should give rise to any Complaint on the part of Me as it does not appear, that any arrangement was entered into, and if a friend even flattering reception, was extended to the Commodore, and his flag, Sal this was done by the authorities of Yucatan; Hence, Texas has done no more She had a right to do, Without at all, affecting her friendly Negotiations.

As regards the Charge against the Captain of one of the Texan Sch Stated in the declaration of the Captain of a Mexican Casting V brandy and Sugar was taken from his Vessel, the Agent re Charge may be true, and yet he is strongly inclined to belie was not received, it was offered, and refused. By of the above named declarations, While most Severe reprehension, which no

recent acts towards Mexico.— If the Charge be true, the punishment of the Officer Committing this violation of his instructions, or his duty, the restoration of the Value of the property, and Satisfactory explanation to the Government of Mexico, is, Certainly all, that any Government Could require, or expect for an Offence by a mere Subaltern, Committed in the absence of his Superior Officer.— This Satisfaction and redress, the Agent pledges himself, the Government of Texas will be prompt to make, Should the Charge be Substantiated.— Beside, the general instructions, under which it is, now fully Shown, (with the Only exception of this alleged Offence) that Commodore Moore, has acted, up to the present time, Viz: not to make any Captures, nor to Commit any act of hostility, against Mexico, so long, as Negotiations were pending in Mexico, precludes the possibility, that the Government of Texas Should approve the act alluded to, and much less, that it Should have authorized it.—

The Agent, therefore, hopes and believes that these Circumstances, will not, in any degree, lessen, or destroy, any favourable disposition, which, may have previously existed, on the part of the Government or the Congress of Mexico, to listen to the propositions, which the Government of Texas, through its Agent, has authorized to be made; and finally, that the Government of Mexico, Should now determine, whether the result of Several years pacific and friendly policy, and One years Earnest, and Constant Solicitation for an amicable arrangement, on the part of Texas, Should at last, result in a renewal of hostilities.— If so, the Agent of Texas must, on behalf of that Government, protest against any and all responsibility, on its part, for the Consequences and Evils which may ensue, from a State of things, which, She has so Constantly, and so earnestly, sought to avert— Texas, in this Sad and undesired Event, will await the Verdict of an impartial World, in the almost Certainty of entire justification.— The Agent would not omit to Observe, that he has seen with regret, and duly Considered, the situation of the Capital during the latter part of the month of July, and the Consequent Embarrassment and difficulty, which the Government has Since had to Contend with, in the dispatch of public business.— At the same time, however, the Agent is Compelled to say, that he has, very nearly, exhausted all the discretion, which the Government of Texas has granted him, as regards prolonging his Stay, in Mexico, and especially, Since up to the present moment, he has not been Officially authorized, to make a Single declaration of a favourable Character, to that Government.— The Government of Mexico have said, they would hear any Agent from Texas, before any One appeared, and it is now nearly Nine months, Since the present Agent arrived in Mexico, without yet, having obtained an Official hearing.— He sees, with regret, that measures, preparatory for an invasion of Texas, are everywhere advocated, and that the Legislation of Congress, tends Clearly to the Supposition, that hostilities are preparing against that Country.—

In view, then, of all the declarations, and assurances, which the Agent has herein and heretofore made, in writing or Verbally, through the friendly interposition of the British Minister, and in further view of the actual position, and present aspect of the question, involved in his mission, the Agent is Compelled, however reluctantly, to State, that he hopes and expects, that on, or before the *16th Inst, S.E. the President, will be enabled to give him Some official, or formal assurance, of the final determination of this Government as regards the Object of his mission, which may Satisfy him of the actual intention of the Government to enter forthwith, upon an amicable Negotiation.—

Otherwise, the Agent will, then, deem it his imperative duty, to ask, most respectfully, for his passport, and withdraw from his mission.— The Agent, Respectfully, solicits that this Exposition, may be placed before the Sov, the Chamber of Deputies, without delay, that it may be annexed to the antecedent documents, in relation to the Same Subject.— The Agent through the medium of the Hon. Richard Pakenham, most respectfully, submits the foregoing remarks to S.E. the President of the Republic of Mexico, for his Consideration and decision.—

Mexico September 5th 1840

* altered to the 18th Inst.

Confidential.

Sir! Mexico September 7th 1840

Under date of 21st Ult, I last had this pleasure, duplicate of which is already on its way, I then, had the honor to inform you of my position, and enclose you a copy of a Memorandum, which I had, under date of 6th of August Submitted to the Government (Duplicate of which I hand you herewith) and also a Copy of a letter, which I addressed to Commodore Moore, to all which I beg leave to refer the Department, and President..... The letter to the Commodore, I have good reason to think, reached him, very luckily, on the 21st Ult but, as yet I have no reply from him, the Squadron having disappeared from Vera Cruz on the 26th I also sent the Commodore dispatches to your Department, and for the President, supposing he might soon be sending in, one of his Vessels; and some of the dispatches, in duplicate, were forwarded, at the same time, Via Havana,— The Manhasset, which sailed from Vera Cruz for N. Orleans, Changed her voyage suddenly, and departed, before I had time to avail of Her, no foreign Merchant Vessel had arrived at Vera Cruz at last advices, since the 24th but the first arrivals we have, I hope will bring me a letter from the Commodore, which will be most welcome, as I am entirely at his present and future movements, which, as I am now situated, I should like much to know..... A brief sketch of events, which interest and relate to my Mission, will suffice for this Communication..... The Extraordinary Power on which the Government relied to Strengthen themselves, failed in the Senate, and the Cabinet, rather than resign, as they said they would, have modified their application for an extension of Powers, in a new and double form, Viz, those that Congress have power to grant, they ask for that body; and those beyond their province, are asked for the Conservative Power..... This question is still pending and the general opinion, in and out of Congress, is, that both branches of the power will pass both Houses of Congress, but that the Conservative Power will refuse to accede, on its part, to the Call of Government supported by Congress..... However, with the additional powers, they will receive from Congress, without the others referred to, the Government will go on, and Ministers hold their places, at least for the present..... Among these last powers, is one, authorizing Government to borrow the sum of six Millions of dollars, to preserve the integrity of the National Territory; to re-Organize a Navy, on the basis of the project, Submitted by the Secretary of War, some time since, (of which I have already advised the Government in a former dispatch) The project of Almonte, to raise ways, and means, to carry on the War, by a direct Contribution, presented to the Chambers in December last and after great delay and many Amendments, passed the Deputies, and went to the Senate, where I supposed, after three months delay, it would sleep forever, has been revived and passed that body..... The advices from the frontier are all, more or less, indicative of preperations, and the proclamation and decree of the authorities of Santa Fe, shew, that even they are expecting an invasion from Texas.— Since the appearance of the Whole of the Squadron, in sight of Vera Cruz, several of the leading Journals, are filled with abuse against Texas, and urging the Government to prepare for hostilities against Texas by providing for a Navy, and increasing the Army.— The official paper has abstained from publishing any thing upon the Subject, until very recently, when it has republished Several articles of unfriendly Character.— The Secretary, took it much in dudgeon, that Commodore Moore had Visited Campeche, and pretended that it was sufficient evidence of the insincerity and bad faith of your Government, and asserted that it indisposed many persons, who were inclined to some arrangement with us.

The Secretary also Complained very bitterly, of the Robbery (alleged) to have been Committed by one of your Schooners, by the Captain of a Mexican Coaster, from whom had taken a quantity of Brandy, some three or four hundred

I discovered

as I thought, to justify, further delay, on the part of Government, in urging the main question, submitted to Congress, to some prompt decision.— The Secretary, nevertheless, assured me, that my Memorandum had gone to the Chambers, and thence to the Committee on Texian affairs, and that said Committee were occupied with their report, which Government would accelerate all it could.— I soon ascertained, that these assurances were not true, and came, at once to the Conclusion, that it suited their purpose, and resolved to bring the matter to a point; and made up my mind, that I would remain no longer, in the prosecution of my mission, unless I could obtain satisfactory assurances, and of a more formal character, than any yet given me, that Government would, at once, take up the matter seriously, and proceed to a friendly negotiation.— I sent, my Second Memorandum, dated 5th Inst, and delivered to the Secretary this day, a copy of which please find herewith.— This will go to Congress forthwith, and it remains to be seen, whether the Comittee will report before the 15th Inst, and what they will recommend, my impression is, that Government will not give me any assurance, which I shall deem satisfactory, and that, by the 20th I shall ask for my passport.— As regards that branch of your instructions, which authorizes an armistice, from the moment I came in possession of the Presidents wishes, on this Point, I conferred fully and freely with Mr Patenham, and there was an entire Concurrence of opinion, on the whole Subject. Viz: that my policy was, to carry through, and to some final issue my present pending Negotiation, before presenting to the Government this alternative or option. They having refused to listen to my propositions, for Peace, Recognition, indemnity &c. and pending my passport, then Mr Patenham, as if at his own Suggestion, is expressing his regret, at the Consequences, that must ensue from a State of active hostilities, will suggest, as the only possible way, now to avoid them, a proposal of Armistice, which Mr P. will strongly recommend and enforce.— It was thought, by us both, that, if the proposal came, foward from me, it be almost certain to be rejected, without due Consideration.— It is therefore my intention to adopt this Course, so soon as I can bring the other matter to a point; and if the Government entertain the question of a Truce, at all, I shall meet the question, and I imagine it will not require long to arrange the matter, and if they decline it altogether, I shall take my leave immediately.—

I shall proceed to Vera Cruz, and thence to New Orleans direct, if opportunity presents, and if not, Via Havana, or Pensacola.— Should I not find any instructions from your Department at New Orleans, I shall proceed forthwith to Galveston, where I shall hope to find a Communication from you, expressive of the wishes of the President, as regards myself, Should I be able to meet any of the Vessels of the Squadron, I might be landed, direct, at Galveston.— I shall endeavour to see Commodore Moore, should he be any where within my reach, or, make every effort, to get a Letter to him.

Again refering the President and Department to the papers herein enclosed,

I have the Honor to be with great Respect, and the highest Consideration, your most Obedient Servant.

(Signed) James Treat

To)
Abner S Lipscomb
Secretary of State
Texas

The following Letter dated from Natchez Dec 13th/39 to Vincennes 29th/39 and Commencing on the following Page should have been continued from Page (298) following a Letter dated Orleans 26th July 39, not being recorded in Record there here.

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* Either the Government document, to be brought forward in the question of Texas, at all, would be

* As an apparent delay in question, to me, and then, by way of an excuse, for their breach of the proposition of an Armistice

Private & Confidential.

New Orleans August 13th 1839

Sir. I have the honor to acknowledge the receipt of your official letter of instructions, bearing date, Houston 9th Inst. informing me of the wishes of the President of the Republic, and assuring of the Confidence reposed by his Excellency in my prudence and Judgment, for the execution of a delicate and important object, to the fulfilment of which, my most earnest efforts, shall be exclusively devoted.

My hurried, departure from Galveston, prevented me from addressing you this communication (as would have been very proper at that time).— I have further to own receipt of Two letters of Credit, signed by His Excellency the President, bearing the same date, amounting together, to the Sum of Twelve hundred and fifty pounds Sterling, (say 1250£) which am authorized to Negotiate, as directed by Genl Hamilton, in a Communication, which I have shewn to his Excellency the President and Yourself.

In looking over my instructions, I find omitted a clause, which (if I remember right) was in the Original draft, and as I then thought, very properly inserted— It related to the mediation of the United States, and authorized me, to Confer, or advise, (as might seem expedient) with Judge Ellis, the American Minister near Mexico.— If they was inadvertently omitted (as I apprehend it was, from the pressure of business on hand) I most respectfully suggest that it may be embraced in your first official letter to me, so that I may Consider, it as a part of my instructions.— I shall also to be, indebted to your Department for any new suggestions, that may result from deliberation, or fresh information, from any quarter.— Feeling duly, the responsibility, the trust I have assumed, I shall use every honourable effort, to carry out the views of the President, But, whether successfull, or not, I shall hope to merit the approbation of his Excellency the President and his Constitutional advisers.— Please place this Communication, (hurried as it is, for Irvin on board the Boat, all this dated at New Orleans with my respects, before the President, to whom, I do not write on the present occasion, having nothing, beyond the Contents of this Note, to Communicate.— Except Sir, the assurances of the particular respect and Consideration with which I am, Your Obedient Servant.

(Signed) James Treat

Hon.
D. G. Burnet
Acting Secy of State, Texas

Private & Confidential.

Sir, New York September 3rd 1839

I beg leave to refer you to the official letter I had the honor to address you from New Orleans under date the 13th ult. and also to another returning a paper inadvertently enclosed among my own in the hurry of my dispatches.

In a private Communication of same date I informed you of the then recent news from England and Mexico.— I have now the honor further to inform you for the information of the President, that I left New Orleans on the 15th ult. and proceeded to Pensacola where I found the American Squadron all laid up until the first October next.— I left without an hours delay and arrived at Philidelphia without detention on the road, on the 29th ult. where I was detained two days to see the President of the United States Bank at Pennsylvania in order to negotiate my bill on the Commissioners for 750£ in Conformity with the authority of the President and your own directions. From the extreme pressure for money here and in England, I feared the President of the Bank might not meet Genl Hamilton's views, and I therefore assured him in making the application that the object to be accomplished and for which these means were appropriated, were highly important to the Government of Texas, as well as interesting to the prospects of the Commissioners in England; but these, it seems, did not avail, as you see by his reply to me in the

"Your Communication has received the most attentive consideration, and I regret to say that neither

"to you and those you represent, the present State of the money market here & abroad Compels this institution very reluctantly to decline the purchase of your Bills.

On receiving a negative I was of Opinion that had I explained fully and extenso to the President the Objects of my Mission, and he again to the exchange Committee, I would nevertheless have succeeded.— But a moments reflection convinced me that I could not with propriety enter into full explanations which would develope the views and policy of your Government, without the exercise of too much discretion on my part; and furthermore I did not think it good policy thus to disclose the position of your affairs, even had I the authority to do so.— I rather preferred adopting some other expedient to raise funds, and keep the Objects intrusted to me to myself.—

I found it impracticable to negotiate my Bills on your Loan Commissioners any where, and Concluded to foward them for Collection by the Packet of 1st Inst, for acceptance and payment, and then I can of Course Command the amount without exposing the Secret plans of the Government as regards Mexico.— — —

Meanwhile Sir, I am and shall be without any means to execute the Presidents instructions and Carry out the views of your Government until I hear from my said Bill.— I therefore respectfully submit to you, and through you to the President, whether he will not direct to be placed in New Orleans, and subject to my order, say Four thousand dollars, out of the Post Note fund, to be used by me for my necessary expenses if my other resources fail me, and until I can be placed in funds through your Loan Commissioners, as Contemplated by Genl Hamilton and Confirmed by the President and yourself.— It will be admitted by all that means are indispensible, and that, since my movements should not be suspended or retarded for want of money to defray the expenses of the mission intrusted to me by your Government, it would seem but just and proper that the President should, if he deems the request a reasonable one, assent to it and direct that this be done by the first Steamer.— I would respectfully further suggest in case this request is granted, that the money be placed in the hands of Doctor James Richie of New Orleans to deliver to me or my order when called for, which will only be in the event of necessity and then only to such an extent as may be necessary and in Conformity with my instructions.— Col James Love may be referred to for information of Doctor Richie, and I name him because it is the Channel through which all my Correspondence passes to and from the Government of Texas.— — I arrived here on the 29th Inst, and have availed of the London and Liverpool Packets to Communicate with the Loan Commissioners very fully and at length in regard to all matters which may interest them. I have also Communicated with your Representative at Washington Genl Dunlap, and shall receive his hearty Co-operation in every thing I may desire in this quarter.— — Genl Henderson (now supposed to be in London) has been kept advised of every matter of importance which has transpired in Mexico and the United States, and to him I have also written fully on yesterday.— On the 8th instant we shall look for the Great Western and before that I hope to receive dispatches from your Department.— A Vessel is also expected here shortly from Vera Cruz, and I will then obtain from Washington the latest information from Mr Ellis— secure the further good offices of the Government of the united States if necessary in behalf of Texas, and embark for Vera Cruz either from this Port, or proceed to Pensacola, where about the 1st prox. or before the fleet will be in motion, and I can obtain Conveyance which is already arranged with Commodore Shubrick through letters from Col Pax, to whom I write this day addressed at Pendleton South Carolina.— — Now will be apprized of the recent changes in Mexico before this reaches you, I need only observe that Bustamente returns to power will not, as I believe operate against my objects; and the changes of ministry I think advantageous to the Country, as they are taken from among the liberal

Talents Gen[illegible] is succe[illegible]

as Secretary of State, who is an old and intimate acquaintance of mine, & as the Secretary of the interior is also a man of liberal and enlarged views; and Bonnet, with such advisers around him, and other influences which I shall, I to be able to bring to bear on the question, will I have little doubt be disposed to listen to the dictates of reason, rather than hazard the alternative, at all events as I informed the President as well as yourself verbally, it will be something to ascertain what they may be disposed to do in the way of Conciliation, or what they will not do. and this information I trust, I shall be able to acquire as soon as practicable and I have little doubt of a successful result. my best efforts shall not be wanting to this end. The favourable information from Genl Hamilton in relation to the progress towards the obtainment of a recognition by France you will also have received ere this reaches you. — There can be no doubt judging from my advices, but the measure had been decided upon by the King and Council, and I should not be surprised if the official act reached here by the Steamer Great Western expected in about a week. This fact of Recognition by France will no doubt produce a favourable effect on Genl. Hamiltons objects as regards the loan, and will further and more especially, as I shall use it to operate as a strong inducement for Mexico to forego the present (and no doubt the only) opportunity she may ever have of a friendly arrangement with Texas. — I therefore think my chances of success are much strengthened by this event, as well as other circumstances. —

In reference to Genl Hamiltons probable Success, I will take the liberty to remark that I have some hopes that he may make some partial progress in the sale of the Bonds, Notwithstanding the unprecedented sad State of the monetary concerns of England. — all however depends on the next advices from England. If the Corn Crops should prove a fair medium one, or something better than usual, all will be Comparatively well. — If it is short, it is difficult to foresee what the Consequences may be — The suspension of payments in Specie by the Banks of England, or if not, as utter inability to render any aid to the Community at large, as it will require all her means (altho' immense) to sustain herself and the Government. — The Bankruptcy of one half of great Britain might be the Consequence of the failure of the Crops. — The next arrival therefore involves matters of great interest to Great Britain and the United States, (indeed to the whole world) than were ever narrowed into the Compass of one Steamer. — I shall not fail to apprise you of the news brought by the Great Western by first post after her arrival here and I wish and hope they may be favourable. — I have extended my Communication far beyond what I intended, and must claim your indulgence for having done so, and also for having travelled out of my appropriate Sphere in treating of matters more properly Committed to my management, you will I trust Consider that this arises only from a desire to make myself useful, so far as my position will enable me to do so. — Should you not deem my Communication too lengthy, will you do me the favor to place it before the President. — Permit me Sir, before Closing, respectfully to call your attention and that of the President to that part of this Communication which refers to furnishing me with money for purposes already explained and understood I would further suggest with due respect that Official answers be sent to Mr Pitchie, for directions for me to be sent to me here (to be used by my Agent in my absence) and the other to be disposed of according to my directions to him. — I am Sir, with great respect and Consideration, Your most Obedient Servant

(Signed) James Treat

To His Excellency
the Secretary of State, Texas

P.S. I had nearly forgotten to say that I arranged with my friend in New (who you know was to precede me to Mexico) to go forward the first Courier from whom I expect daily to hear, not only of his movements, but of Mexico which shall be communicated

Obedient &c &c

New York September 10th 1839

Sir— Last had this pleasure under date of the 3rd Inst. which I doubt not will be in ample time for the Columbia, to sail on the 15th Inst. from New Orleans, and I hope it will reach you, on the 19th or 20th of the present month.— In that Communication, I gave you for the information of the President, all the information, general and particular, that I thought, would be acceptable, under existing circumstances.— I only hope, that, neither the President, nor yourself, will censure me, for the latitude, I have ventured to take, in my advices.—

The principal object of this Communication, is to announce, to you, the arrival of the Western, Steamer, packet of the 24th Ulto. (as I recorded in my last dispatch) and which, is now, coming up the Bay, I trust her letters will be delivered from the Post office, by 1 or 2 P.M. and that I shall be enabled to give you the general features of the news, at least, by to days post.— I therefore prepare this letter, so far and will, add, what I can learn, to the closing of the Mail of 12 Oclock Sine writing the foregoing and while, waiting for my letters, I have received advices per packet Ship Louisa, direct from Vera Cruz, from the City to the 1st and from the Coast to the 15th Ulto— So far as my letters go, there is nothing of any moment, except, that Bustamente's new Cabinet, had been Completed, by the appointment of Col (now General) Almonte, as Minister of War, which I am inclined to look upon as a favourable Circumstance, to an amicable arrangement with your Government.— Almonte, is, shrewd— observing, and intelligent, and well knows, what the true interests of his own Country required, and having been much abroad, speaking all the languages, &C and more especially having been in the former Campaign, will be entitled to consideration, when the time for the disavowal arrives

I shall examine the papers, (having received ample files) and if I learn anything of moment will apprise you.— meantime I abstain from filling up any more of my space, until I get my letters per. the Western.—

September 11th I was Compelled to suspend my Communications, as I did not receive any letters either from Messrs Hamilton or Burnley, or from General Henderson, which I thought singular, until I found that a letter from Genl H, to a Commercial house here, refered to letters, sent by, or in the Bay, of the Legation of the U.S. in London— I have sought in vain for them, and altho' I am persuaded that such letters as are refered to by Genl H, (and among them are probably few ones) were either placed in the Bay, or intended to be.— If the former they have probably gone to Washington.— If they have not Come over, they will, (as the Packet, to sail the 3rd Inst, expected) 19th or 20th.— Whether the dispatches from Genl Hamilton, or Genl Henderson for your Government are in the same predicament, I have no means of knowing.— The general news per the Great Western, may be summed up thus— The Corn Crops, in the South of England and midland Counties would be good, and the prospects of the North and Scotland fair— The Queen would bring them.— It was thought there would be an average Crop.— The money market was about in the same position— The Illinois Agents had negotiated four Millions, but it was Connected with a contract for Iron, and the terms or Conditions had not transpired— The question of Recognition by France, had not progressed since the preceding dates.— It would soon take place no doubt— Gen Hamilton, I hear wrote in good Spirits— would leave for Paris 21st Ulto, Thought England would recognize, and that he should, basically succeed in his Loan.— This however, is hear say, and so I give it.— Pardon Sir, the haste of my unentembling Communication.— I shall have this pleasure again in a few days which will undoubtedly reach this on its way.— I am Sir, with great respect and Consideration, Your Very Obedient and humble Servant

Hon the Secretary of State, Houston Texas, (signed) James Treat

P.S, There is a Packet, for Vera Cruz, to sail the 25th Inst, being the first Vessel since my arrival here, in this Vessel I expect to embark

Sir,

New York September 18th 1839

I have the honor to acknowledge the receipt of your official Communication of 19th August duly at hand, which is intended (and will so be considered by me) as an addition to the instructions, which I received personally, from your hands, under date of 9th of same month. These additional instructions, are in my opinion, important, (as you will see by my respects of 13th August not then received by you) and, I shall endeavour, so to make use of them, as to secure, to the greatest possible extent, the advantages, contemplated by the President. I last had this pleasure on the 16th 17th Inst, giving you the general features of News, by the Great Western, having to regret the unexpected absence of any own advices from the Texan Commissioners, and from Gen. Henderson. I am persuaded, however, from various circumstances, that I should have received letters, from both the above Sources, but as I have every reason to believe, they missed the Steamer or the other from some accidents which will be explained, by the British Queen, expected, in a few days. — This Vessel, I hope, will not only bring me the back letters, but later information, of which, I will promptly advise you. I have Communicated, will Confidentially, to Gen Hamilton, and very fully and freely to the Commissioners, every opportunity and in duplicate, and have left them, to inform Gen Henderson of the Objects Contemplated by my private mission, as this would seem proper, if not necessary.

The rumors here, are that Gen Henderson had made no further progress, since the former advices, towards Recognition by France (probably owing to the King and Cabinet, being Continually occupied with the affairs of the East) This, I believe is founded in fact.

It is further stated, that Gen Hamilton found a warm and flattering reception — that, after the pressure was very great, yet he thought a favorable turn near at hand that he hoped, for partial success, when affairs should assume a better aspect — and that he felt confident, that the Recognition of France, and also of England, would be soon obtained, This, would all seem quite probable, and therefore, may be true, yet I only mention as rumors here. Gen Hamilton would leave London for Paris, on the 24th August. We shall so soon have the advices per Queen, that I abstain from any further Comment, which, at least, would be nothing but conjecture, on my part. I only await the arrival of the Steamer and meantime also, to have an interview with a friend of mine in the Cabinet of this Government (necessarily deferred by unavoidable circumstances) and shall then, be prepared to leave, of which, and Route, I will duly advise, your Department. I enclose a private letter to Gen Hamer, which I beg you will hand him, together with this communication. — I have the honor to be, very Respectfully, and with the highest Consideration, your most Obedient Servant. —

(Signed) James Treat

To the Hon.
The Secretary of State
Houston. Texas

P.S. September 19th Since the foregoing, I have received a letter, from Genl Henderson, dated Paris, 5 August 5th 1839, This old (compared with dates per Steamer) but, being 10 days later than anything, I had received from him, and Considering its possible, the advices to your Department have failed, I will extract which will be gratifying to the President and yourself, if you should be without your regular dates. — "Since I last wrote you, by the Liverpool Steamer, my "business has advanced slowly, but smoothly. I hope soon to complete the "now in progress with this Government, so far, we have had but little diffi- "in agreeing, and from what has verbally passed between them and myself "feel Confident of success, without unnecessary delay." The above is all of moment Contained in the letter, and I beg you to bear in mind, that communications from Gen H, to me, refering to public matters, is strictly Confidential.

Very Respectfully your Obedient Servant

New York September 21st 1839

Sir I last had this pleasure on the 18th & 19th Inst. to which I crave reference, and have now the pleasure to announce the arrival of the British Queen Steamer with dates from London to the 2nd Inst. — This Packet arrived yesterday noon, but too late for me to obtain her news for yesterday's Post — I am sorry to say I have nothing direct from either of the Commissioners myself, unless a gentleman who came over, and brought some letters from Gen. Hamilton to others, should have some for me also. — I have not yet been able to find him, tho' I fear, when I do, I shall not be gratified by any Communications. I cannot however omit stating generally what I have heard, I presume to be Correct, and especially as I know not if you will receive dispatches either from Gen Henderson, or Gen. Hamilton by this Packet. — It appears that Gen. Hamilton went to Paris 24th August and writes from thence as late as 31st same month. He had seen Marshal Soult, and had a most gratifying interview with him. Gen Henderson had nearly Completed his Treaty, which of course had for basis Recognition of Texas. It was thought he might bring it himself in the Liverpool Steamer to sail this day. Gen Hamilton would also return here per the same Vessel, whether Gen Henderson came or not. A formal of your Bonds would not probably be made to the public while the market was so extremely depressed, as it continued to be. But between October and January next, it was believed the Loan might be effected. Meanwhile some money might be had in advance of the Negotiation. When the Treaty should be finished with France, there would be some time to feel of the British Government, as regards their views in relation to Recognition, and it was thought, that they would not long hesitate in their decision. Cannell's effort to hamper the Ministers would come too late — at least that was the impression. This Sir, is the substance of the information which I have obtained from letters from London and Paris, and I think it entitled to general credence. I however give it to you as I received it, and trust the President, will receive it as all I can now impart to him on these interesting topics. — —

If you receive as I hope you will your regular advices from the right quarters, you will learn the facts from a better source. If not, then even this may be gratifying to the President and his advisers. — The news generally is unfavourable, and the Shipment of one Million more of Specie per Great Western which sails to day, makes things looks very squally here. The Corps however in England were coming in thus far very favorably. The affairs in the East had not yet been satisfactorily settled, but they were or will be under the direction of the five Great powers, who will doubtless persevere the peace of Europe you will see by the papers I send you the Queens Speech at the closing of Parliament. also an article from the Albion of the day, which I have not yet seen, but am told is a very Judicious one. I beg you to lay this Communication before the President with my respectful Considerations.

I remain Sir, with great regard, Your very Obedient Servant.

(Signed) James Treat

To the Hon.
The Secy of State
Houston Texas

Sir New York October 5th 1839

My respects were under date of the 18th & 21st Ulto. to which I beg reference, although neither of them were important. Since then we have no further news from Mexico, nor from Europe, the Steamer Liverpool, to leave 21st Ulto, will be due about 8th Inst and I anticipate some flattering intelligence for your Country by her, of which I will immediately advise you. — I had thought when I last had this pleasure, that my next Communication would advise you of my immediate, if not actual departure, but there exists some causes of delay which I

justifiable and Master to apprise the President through your Department what they are, trusting that he will approve the motives which may induce the little delay refered to, and even the delay itself.— The Ship Ann Louisa w.h it was thought would get away on or about the 25th ult. will sail on the 6th for Vera Cruz, being the first Vessel from this Port (or any Neighbouring Port) for Mexico since my arrival here, and by this Vessel I had intended going, and personally am now ready and desirous to embark.— But 1st I have not heard of my friends actual embarcation from New Orleans, who according to the plan we laid down, was to precede me, and this, was not deemed indispensible, yet it was thought expedient.— The delay of his part arises no doubt from the detention of the only Vessel which could convene him, Viz: the Schooner Doris for Tampico, there having been no other Vessel for any Port in Mexico since 15th of August, Either this, or his indisposition (I have no doubt the former must be the cause of his unexpected, and unwished for delay, and I am left in doubt, in the absence of his letters, which, from his usual punctuality I fear have miscarried.— 2nd I thought I was so near the expected arrival of the Steamer Liverpool which would bring Gen Henderson and his Treaty with France (as is now believed by all) that I could be justified in waiting for them a few days, as the official knowledge of the Recognition by France would be an item for an argument which would be available, and an interview with Gen. Hamilton would be highly desirable on my p.t and the more so, as he will have left Europe before any of my Communications to him will have arrived there; and further, by Confering with him I might obtain some information of the Mexican Bond Market which would be useful, to me at the very Commencement of my discussions.— And 3rd Gen Dunlap has thought it important that he should See Mr Forsyth, or the President, and induce some further Communications from the former, to Mr Ellis, the American Envoy in Mexico, which might be useful, generally and particularly, in case the Mediation of the United States should be asked for by Mexico, and this he has not yet been able to obtain, owing to the absence of the President and most of the Cabinet until now when they are again re-assembling at Washington and where Gen Dunlap arrived himself about three days since; and from whom I expect advices, and if necessary I will myself repair to Washington, which is very probable, but only for a few hours, or a day at farthest.— For these various Considerations I am induced to omit going in the Vessel of the 6th as I intended, but there are two other Vessels to succeed for the same Port, and will sail from 12th to 15th Inst in either of which I can take passage, and thus only loose, as it were, some week or so, and secure as it all the advantages which I have suggested, as the motives of my delay.—

I trust this plain Statement of facts will justify the course I have thought it my duty to adopt under existing Circumstances, in the opinion of the President, and exonerate me from any suspicion of desiring to procrastinate for a single moment, the earnest desires and just wishes of the Executive, for a Speedy result to the important objects committed to my management and which I duly appreciate. It is for this reason that I have so minute for which I crave your indulgence.— As regards funds, I have since my last obtained the cash for my draft on the Commissioners for 750£ Sterling from the President of the United States Bank of Pennsylvania at the instance and through the intervention and arrangement of your minister Gen. Dunlap who will advise the Department by the Mail boat of the particulars. I have only to say, that as I did not consider it essential to my departure to have these funds (for I should have gone without them) had it not been necessary, or had I embarked before the arrival of Gen Hamilton) yet I am free that the funds are and were desirable. I was moreover reluctantly about to any arrangement that should [illegible] ally any of the funds to the credit of the Government [illegible] Dunlap, wishing to promote the wishes of the Government had agreed upon the arrangement, and

the arrangement

would be made by Gen Hamilton on his arrival here to release the funds pledged by Gen Dunlap, and Cancel that arrangement by assuming my drafts on the Commissioners, or what is the same thing, giving the bank Satisfactory assurrance that my bills will be duly provided for. — Have thought proper to advert to this transaction, as Gen Dunlap will address you on the subject, I will inform you, before my departure, how the matter is finally arranged after Genl Hamiltons arrival, and in the meantime take due note of this monied transaction (as I shall of all others) for the purposes of future adjustment of accounts with your Department.

Excuse the length of my Communications, and accept the renewed assurances of the highest respect and Consideration of your Obedient Servant.

(Signed) James Treat.

To the Hon.
The Secretary of State.
Texas

P.S. Should the President have directed the funds I asked for, to be placed with Dr Ritchie, or any one else, I Respectfully suggest the propriety of permitting them to remain until, you receive my next Communication, which will be after I have Conferred with Gen Hamilton, and therefore will inform you exactly, how I am situated, in this respect. Respectfully your Obedient Servant

(Signed) Jas Treat.

New York October 10th 1839

Sir — I fulfil the promise made in my last dispatch of 5th Inst (to which I beg leave to crave reference) and have to advise you of the arrival of the Steamer Liverpool, which left on the 21st Ult., Gen Hamilton, who came passenger, I have just seen for a few moments. He said he should write the Government himself to day; but the press of calls upon him, together with a slight indisposition, which he always suffers for a few hours after landing, may prevent. I therefore give you the substance of the information I have hastily drawn from him, in case this should reach you before any Communication from the General himself... Genl Hamilton has not affected the Loan or any part of it. He left every thing in a very fair train and with full hopes that the Negotiation, will soon be made. He was offered the night before his departure from London, to draw for a Million of dollars, which he declined, as he felt confident ere long a better Negotiation could be made, probably as soon as it was known that England (as was believed) as well as France would recognize the Independence of Texas. Mr Burnley of Course remained in England, Gen Henderson had in fact made a Treaty of Recognition, but the King, being on a tour through the Departments, could only have it laid before him in Council on his return to Paris, then soon expected.

Gen Henderson would then proceed to England, and endeavour to effect the same Object there, which Gen Hamilton thinks is already agreed to in point of principle by the English Cabinet, but some little time may be required before they can act, in consequence of the instructions given to Mr Patenham to Mediate between Mexico and Texas. Genl H., who saw Lord Palmerston, does not doubt that England will recognize, altho' the English prefer'd Stale that the Government had declined to recognize. — This, Sir, is all I can now say — and I hope you will hear from Gen. Henderson, as well as Gen Hamilton themselves, which is a better source of information than my own given from memory and in haste. I shall at an early moment explain every thing needful to Gen H, in relation to my position and mine to Washington were Gen Dunlap advises me, he will have some information for me, that I sought to have. I hope to be off by Sunday next, 13th or 14th Inst. I feel great Confidence in my success — and that soon after my arrival out I shall be able to apprise the President of my favorable progress as every thing seems propitious. — The result of my final arrangements with Gen Hamilton in relation to funds &c an[illegible]

information I may derive from Washington, shall be given in my next, which will precede my departure to Mexico.— I send papers, to which please be referred for general news from Europe, together with the suspension of specie payment on the part of the United States Bank, and all the other banks in Philidelphia and Baltimore. The Banks here have not followed the examples and I think will not if they can help it. They will try hard, and I think they will succeed.

Please present my respectful considerations to the President, who I wish to me self the honor to address before my departure. With great Respect, I am Sir, Your Very Obedient and Humble servant.—

(signed) James Treat.

To the Hon
The Secy of State
City of Austin Texas

Roadstead of Vera Cruz, Nov. 28th 1837
Thursday night 9 Oclock

Sir,

I hasten to aspprise your Excellency of my safe arrival, at this Port at 6 P.M. this Evening, after a tedious and unusually long passage of Thirty two days, during most of which, we have had to contend with calms, head winds, and gales, having put into West for supplies, and, on one occasion laid to, for five days and nights, consecutively.

This unexpected long passage, has been annoying and mortifying to me, in the extreme have counted the tedious hours, as they have dragged heavily along; but, it is useless to complain of the Elements, for the wind blows where it listeth.— — — — — —

My health (which was by no means, good, when I embarked) has suffered somewhat but I doubt not, a day or two, of quiet rest, will restore me, and that I shall be invigorated, and fully prepared to prosecute my delicate and arduous, duties, with all the zeal and energy I can bring to bear, on so important a matter.— Of one thing I can assure your Excellency, that my efforts, shall be proportioned, to the unexpected, delay I have experienced, in reaching here. I take this occasion to remark, that I furnish Gen. Hamilton with Copies, of all the letters I addressed to the Loan Commissioners, as well as to the General himself, none of which, had been received, before his departure from England; hence, they would all be received by Mr Burnley.— The one dated 6th of September Contained my Ideas (hastily given) in relation to the Mexican Bonds, in England as having a possible bearing, on anticipated negotiations.—

I do not know, that there is any thing in them, Worthy of your perusal, But I thought I would mention the fact, that Gen H. had the Copies, that you can refer to them, if you thought proper, and also to shew to H.E. that I have thus far promptly and fully Complied with this branch of my instructions.— I found Gen H. averse to this branch of the operations, for reasons he will undoubtedly explain the President and which, may be found satisfactorily, altho' they were not so to me probably because, his Views, were not fully explained to me.— I trust my last several Letters from New York, are already received, with the duplicates of all letters to the Department; and that His Excellency the President, will have also to me, in the course I have felt it my duty to persue, his favourable Consideration.

I shall address Your Excellency, and also Gen Samar, a separate Communication to which I crave reference.— Having but just arrived, have nothing new, to communicate, on this note.— I beg your Excellency will pardon this Communication under the circumstances, in which, I am now writing.—

I am, with the greatest respect and Consideration
Your Obedient Servant.—

(signed) James Treat.

To the Hon
The Secy of State
Austin Texas.

Confidential. Sir! City of Vera Cruz Nov.r 29th 1839

I beg leave to refer your Excellency to my Note of yesterday evenings date, written to avail of any opportunity, that might offer, the next morning, but finding, no Vessel, soon for any Port in the United States, or Havana, it will accompany this, for any Neighbouring Port.— I have been on shore, but two hours, found my anticipated advices from the City of Mexico, one bearing date 19th and another the 23rd Inst.t the writer my friend, having passed through here, to the Capital, about three Weeks since, after being detained at New Orleans, by severe sickness, longer than the fixed period for his departure.—

He, writes me briefly, of Course, as he would not go into any details, by letter, knowing that I would repair, as soon as possible, to the Capital, which he requests me to do, —. He says in substance, that the subject matter, as been kept alive by those friendly to the measure, since the Change of the Cabinet, up to his arrival; and more especially, since that period, availing, my appearance.— That, every thing, still wears a favourable aspect, and intimates, that there had been, a time, when the matter could have been adjusted, in half an hour. — What is here meant, I am left, to Conjecture, as he leaves all the Ministers, for a Verbal interview.— Whatever it may be however, I am satisfied, it does not effect the main question, even now, or, in other words, that the same favorable juncture or one equivalent, may again, soon present itself.— It appears also, that in expedients of Gen. Arrangoiz's movements, the subaltern chiefs of the Federal Party, on the frontiers of the Rio Grande, have encountered the Government Troops, at, or, near Mier, and entirely defeated the latter, and were by last advices, following up their success, by marching towards Matamoras, which Post, it is, apprehended, by the Government, may now fall and easy prey, to the Federal faction so called.—

This event, has recently produced, Considerable excitement in Mexico, as much, as, some how, or, other the impression, has obtained, apparent credence, with the Government or the Congress; that, this success, on the part of the Federalists, was secured by the Co-operation of Texas, either with the sanction of Government or, by its people.—

A warm discussion, therefore recently took place in Congress, in relation to this subject, in which, the impressions, refered to, were admitted, as, I am informed.— I have not seen the report of the discussion, but will procure it, and if important forward it to the Department. My friend, however, in the city, wisely, anticipating the incorrectness, of these impressions, would, nullify its effects, on public opinions, by some well timed, article, on the subject, and the affair, has already, or will soon, blow over, and leave all, as before.— I availed of these mornings Post, for the Capital to assure my friend, (among some other matters, in reply to his letters) that so far, from aid, and Co-operation, on your part, all overtures, from beginning to end, had been rejected by your Government, this assurance will, I trust, be used, in such manner, as to remove all asperity of feeling, arrising from this circumstance, provided, it be not already done, by the judicious management of my friends there, as already intimated.— Meanwhile the Government are sending troops (it is said some 3000 to 4000) to strengthen Tampico, thinking this aid, may be too late, to secure Matamoras. This, is, the statement, I have, which, I presume, is more or less correct, but I have not yet had time, to investigate the particulars.— I am myself of opinion, that the negotiation to be proposed, stands, now, in a favourable position, and, so my friend, in Mexico, assures me; and I shall proceed to the city with perhaps, one exception, in each place. I am now however, in the Roads, embarqued by a violent Norther, on board my Vessel, whence I had hoped, to have landed my baggage, this morning, but the gale coming up suddenly, I cannot escape until it abates, as no boat can attempt to land, until the Sea subsides.—

I hope, to land to morrow, however, and leave next day, for the city. This, is all, I can now, Communicate, which, I trust, will be satisfactorily so far as it goes to his Excellency the President, and also to the Department, I have the h[illegible]

If no more as present occurs, will transmit by way of Tuxpan to any body here

Rest assured, Sir, I shall continue my best efforts, until I reach, some results, togeth
with all that may intervene, I will duly communicate. — Pardon the haste with whic
I have the honor to be, with great Respect, your Obedient Servant.

To the Hon.
The Secretary of State
Austin Texas

(Signed) James Treat

Duplicate Copy.

Preliminary Memorandum, for the arrangement of an Armistice, between Mexico and Texas.

1st An Armistice, and entire suspension of Hostilities by Sea and Land.

2nd The Armistice to continue for three or four years, and six months previous Notice, to be given by either of the Parties, before its obligations can be cancelled.

3rd If any Mexican Troops, shall be found, on the left side of the Rio Bravo del Norte, they shall forthwith return to the right side of said River, and if any Texas Troops shall be found on the right side of said River, to return forthwith to the left side; and it is further hereby agreed, that the troops of neither of the contracting parties, shall repass the said Rio Bravo, during the continuance of the present Armistice.

4th Both parties to engage, to do all in their power, to prevent Indian Hostilities, on either side, of said Rio Bravo de Norte.

Together with such other minor Conditions and provisions, as may be necessary to car the foregoing into full effect; and secure to both the Contracting parties, all the advan-ges, of a State of Peace so long as this arrangement is binding.

This arrangement if Concluded, to be ratified by Mexico, and fowarded with delay, to the Government of Texas, for its Constitutional ratification, and the ex-hange of said Ratifications as soon as practicable.

Mexico September 25th 1840

Memorandum.

Mexico September 21st 1840.

The Confidential Agent and Special Commissioner of Government of Texas, begs leave to address the Hon the Secretary of State, with the object of asking for his passport, and Safe Conduct to Vera Cruz, where he proposes embarking, so soon as opportunity presents. The paper, which the Agent last had the Honor to present to the Consideration of the Mexican Government, bearing date the 5 Inst. as well also, as the pending one, dated 19th Ult. exhibited very fully and frankly, the position of the Agent, as regards the objects of his mission, and an-unced the necessity of his proximate withdrawal from Mexico, pursuant to his ins-ctions, unless he could receive satisfactory assurances, of the fixed determinat of the Mexican Government, to listen to, and act upon the friendly overtures of Government of Texas. — The period, named in the Agents last note, having e-ed, without his having received any assurance whatever, of the pacific views of the Government of Mexico, towards Texas, or even of its disposition to entertain the subject question, the Agent is compelled, very reluctantly, to adopt the course, which he propos in his last named Communication. The Agent on this occasion, is compelled expres his deep regret, that after so long a stay in the city of Mexico, he is obliged abandon his friendly Mission (which has already decupled thrice the peri contemplated by the Government of Texas) not only without having acc the pacific views and wishes of the President and Congress of Texas, for which was most fully authorized, but even without having been able to obtain or formally, the propositions, which he was authorized and instructed Convey a single act, or declaration, which [illegible] that a good understanding, or [illegible] etwens, dis-advan

President of Texas, and his Constitutional advisers, be disposed to learn, that, after nine months mature deliberation, and reflection, the Government of Mexico have refused to hear the proposals of Peace and Amity, proffered by the Government of an Ex Colony to the Mother Country, for its consideration. The Agent, however, has digressed from his purpose, for which he craves the indulgent consideration of the Hon. the Secretary of State, inasmuch, as the said Agent, having already, and at length spread before the Government, and Congress of Mexico, the objects and views of the Government, he has the honor to represent, it would be quite superfluous, now, to enlarge upon the Subject. The Agent has also it for granted, that the Hon. the Secretary of State, will have the goodness to furnish him, or, if that be objectionable the Hon. Richard Pakenham, whose official and friendly interposition and offices have been resorted to, and freely rendered, during the whole negotiation, with an official Communication, which will refer to such terms as the Hon. the Secretary of State, may deem most appropriate, the origin, progress, and termination of the mission of the said Agent to the Government of the Republic of Mexico. The Agent begs leave to present to the Hon. the Secretary of State his regard and Consideration, and through H. E. to H. E. the President of the Republic, his highest and most profound respect.

Private.

( ) Mexico September 29th 1826

Sir! In my last of the 9th Inst, I apprised you of the situation of my affairs here, and expressed a belief, that, after all, I should effect no arrangement of any kind, with this Government. They are so weak and changeable, (independent of their deceptions, but very specious assurances) that, it is difficult to rely, on any thing whatever. You will perceive, by the tenor of my last, and the papers therein enclosed, (viz) a duplicate Copy of a memorandum, dated 19th August, to the Government, and an Original Copy of another memorandum of the 5th Inst,) the Course, I then, prepared to adopt, to close my mission.

I beg leave, now, to refer you to the papers sent herewith, (say: Copy of my last of 9th Inst, duplicate memorandum of paper sent to Government, dated 5th Inst, and a copy of my last note demanding passport, under date of the 21st Inst; These Documents will shew you, that the Government have declined entirely my proposition for Recognition, Couples with an offer of Indemnity, for certain limits, to be hereafter fixed, the particulars of which I must limit for a future day.

Pending the answer to my note of 21st Inst, Mr Pakenham took occasion to suggest the Idea of an Armistice to Mr Garnedo the Secretary of State, as the only means, then left, to avoid a conflict with Texas, and after some Conversation, it was understood, that, if I had powers to arrange an Armistice, and was disposed to do so, they would receive proposals, and act promptly, upon them. I offered to receive any propositions, that might be made, touching an Armistice, but declined, making any myself, and the result was, that Mr Pakenham was authorized to present the proposals I should authorize him to make, to this Government. I prepared a paper, in accordance with the views of Mr Pakenham, which he presented, (See copy herewith, dated 26th Inst,) and it was laid, by the Secretary of State, before the President and Ministers, and then discussed at two, or more Sessions of the Cabinet, without authorizing the Secretary of State to give me, or Mr Pakenham any specific answer, and there matters stood until this day, when the Secretary of State delivered to Mr Pakenham my Passport, and an official Note, referring to my affairs, of which, as yet, I have no copy, but shall procure one, together with the other Correspondence, for the information and satisfaction of the President and Department. The Secretary of State had resolved to quit office the next day, and hence, was willing and probably prepared to dispatch my general mission, in the way already stated, leaving the matter of the Armistice opening and pending for his successor. As it was

entirely useless, under the circumstances, to press the matter with Mr Cañedo on the eve of leaving office, Mr Pakenham called on Gen. Almonte, Secretary of War, and, after a Conversation, Mr Almonte assured Mr Pakenham, that he was in favour of an Armistice and had, and would Continue to, advocate it, and, if I would give them more time, he thinks something Could be accomplished. It was agreed, that I would wait eight days, provided Mr Almonte would take the matter up in earnest, and endeavour to carry it through.

This, then, is the present position of affairs, but I must doubt if any thing will grow out of it, as the Cabinet is falling to pieces gradually. — Mr Gutierres Estrada, who was expected to succeed Mr Cañedo, now declines, and the State Department will be thrown over ad interim, to the Minister of the interior, Mr Marin, who is a Jesuit and Fanatic, and the only man, who can do any thing, is Almonte, and whether he can drag the President and such Colleagues, into his views, even were he so disposed, is a matter, to my mind, very doubtful. — I therefore presume I shall be on way, down to Vera Cruz, by 10th or 15th Octr. I have received dispatches from Com. Moore, as late as 17th Inst, and shall write him tomorrow in reply, by Duplicate, and inform him of the extreme probability of my being down about the 15th Inst, and that I hope to find one of his Vessels at the rendezvous. — I send this, and enclosures cited, to Com. Moore, to forward, as soon as opportunity presents, altho I deem it very uncertain, when it will reach him. If not, it will, Via Havana, or New Orleans, reach your Department. — If Contrary to my expectations, any thing favorable should result from the project of an Armistice, I shall make the shortest possible work of it, and convey it to Texas, to be submitted for Ratification. The fixing the Rio Bravo del Norte, for the military line of demarcation, they do not seem to like, and I cannot see, that any other, can be assented to, advantageously. ——

I have the honor, Sir, to be, with the greatest respect, and Consideration, Your most Obedient Servant. —

To. Hon.
A. Dickinson
Secy of State, Texas.

(Signed) James Treat

Confidential.

Mexico October 6th 1840

Sir. — My last dispatch of 29th Ult° with its several enclosures (all which accompany this) was prepared for the English Packet, Via Havana, but the British Cabinet Courier, has been detained, day by day, until now, in consequence of a misunderstanding between Mr Pakenham and this Government, which, after several days doubtful efforts, has been finally settled, in a manner entirely satisfactory to Mr P. and the Courier will leave in the morning. — About the middle September, Mr Pakenham Presented to this Government sundry matters and claims some of which were of long standing, for final adjustment and payment, and informed them that, if by the 24th September they were not favourably disposed of, he should demand his Passports. — The 24th came, and it was very generally believed, that every thing was adjusted, in course of settlement, which was more or less true, as thus matters run on, until the 1st Inst, when from some unexpected difficulty, Mr P required peremptorily, his passports, and closed all intercourse, on his part, with the Government, and Communications, at the Palace. — Until yesterday, the whole time has been taken up, in endeavours on the part of the Government to, reconcile, and arrange matters with Mr P. who would not withdraw his demand for Passports nor visit any of the Government officers, or Public Departments, pending his unadjusted demands, but Conferences were held, at the House of one of the Ministers, and finally have been satisfactorily arranged, so far as Mr Pakenham is

I have not been informed of the merits of the Question as yet, but that the Government were compelled to accede to (Mr P's) demands inscribed on his Passports, —

for the time being

Eight days, which have already elapsed, must be extended a few days longer, to endeavour to ascertain if any thing, can be reasonably anticipated from Mr Almonte's promises... He mentions, after the departure of the Packet, M. Bonham has promised me, his renewed and active Co-operation, and trusts, that in a few days, I shall have the result... I have addressed the Commissioners in London Colombia, New York, and by this English Packet direct, & my positions for their information & Government. I wrote Genl Lamar a few days since, informing him, that I thought I should soon know the final result, and that I might be down myself, by the 10th to the 15th Inst... I shall write him again to day, but I have not much Confidence that either of them will reach him, and hence, I have not sent to him, duplicates for your Department, but despised of them, through other Channels... My next Communication may be, from Vera Cruz, & may be the bearer of it myself, If I can find one of your Vessels at my disposal on Shore, I may... Pardon the haste with which I have the honor to subscribe myself with the highest Consideration, Your most Obedient Servant)

To the Hon.
Abner S. Lipscomb,
Secy of State, Texas.

(Signed) James Treat)

(Mexico October 19th 1836

Sir... I have the honor to inform you, that this Government having rejected the proposition for an armistice, I have closed my intercourse with them, and shall leave for Vera Cruz in a few days... I have the honor to be, your very humble Servt)

To the Hon.
A. S. Lipscomb,
Secy of State, Texas.

(Signed) James Treat)

A Correct translation of a Letter written in cypher of the above date.

Confidential.

City of Mexico October 25th 1836

Sir... My last respects were under date of 17th Inst, very brief, and in cypher, four copies of which are already on their way, through different Channels... My previous Communications of 9th September and 6th Inst, with the various accompanying papers, will have prepared your mind, for the final unsuccessful result of my Mission. Ill health and other circumstances, have detained me a few days longer than I could have wished, but I shall leave on the 28th Inst, and make the best of my way to New Orleans or Galveston, as the case may be, where I must I shall receive you further instructions for my government... The present Condition of the Country, the weakness of the Government, and their inefficiency; the boldness and threatening attitude of parties, who seek for power, have increased to such a degree, that every thing seems to threaten a dissolution of the present order of things... A change, through the medium of another revolutionary movement, is daily anticipated; the result of which, will probably be a dictator, proclaimed by the Army, or a State anarchy, which, perhaps, may be a little greater evil... The Country and Government, never was in so deplorable a political a State, as at the present moment, nor can I foresee what will be the issue of the present fermentation of so many discordant elements, for there has not been wanting a man of high political Standing, Who has been bold enough, to advocate, under his own Signature, and in Pamphlets, within the last few days, a return to a monarchy, under a European Prince... Notwithstanding this distracted State of things, the Government have obtained from Congress, authority to Negotiate a Loan of Five Millions of Dollars, which would, perhaps, produce Nett 10 or 12½ Millions... Five thirds of this amount is appropriated exclusively to the creation of a Navy, and other expenses incidental to the campaign against Texas... There is a contract now being made, by the

here for the Texan, and to furnish the Government, by the 1st of May next with the following Vessels, Viz: 2 Steamers, 1 Corvette, 2 Brigs, 2 Schooners, & Gun Boats, the cost of which, and of keeping them in active Service for 8 Months, is fixed at $1.300.0 they will have plausible excuse for delaying the projected invasion of Texas, so much at heart, while waiting for their Flotilla; all for a better reason, no exists for not undertaking an expedition, Viz: the employment which Canales and his troops, are, at the present time giving Arista, with all his forces. The former, by a silent movement, will soon be on the rear, cut off the supplies of Victoria and Tamaulipas, capital of that Depm thus causing great alarm, and Compelling Arista to return from the frontier, where he was marching, for the second time, having returned, on the first occasion on the account of the disappearance of the Texian Corvette off the Brazos. The two of Canales left Victoria, and Arista was satisfied with taking professions of the Villages, as usual, ipsuing proclamations. It is very probable that both Canales and Arista, will Concentrate their forces, and while the strength of the latter is, numerically much the greatest, he has great respect for the Rifles, of which, it is said, those are to Canales divisions. The foregoing is, as near the positions of things, as can here be generally known, were the Government publish what suits their convenience, and private information, if not intercepted is sufficient, from apprehension of Consequences.

This brief and imperfect Sketch of the State of things, here, must suffice, until I reach either Galveston or New Orleans, where I hope to receive the wishes of the President, whether he desires to see me at the Capital, where I shall be most happy to proceed, & make, in person, my final reports if, as I earnestly hope, the State of my health will permit. If not, I shall not fail to advise the Department immediately. Be pleased to present my respects to Gen, Lamar, the President, Judge Burnet, Doc. Starr &c &c.

I have the honor to be, Sir, with the highest respect, and great Consideration Your Most Obedient and very humble Servant.

(Signed) James Treat.

To the Hon,
Abner S Lipscomb,
Secty of State, Texas

Mexico October 10th 1840

Sir.

Having closed my Mission and about to retire from the Country, where all my efforts, to bring about a friendly understanding between the Government of Mexico and of Texas, have proved of no avail, as you Sir, are fully aware, I cannot persuade myself to leave the Capital, without expressing to you, how much the President and People of Texas are indebted for your prompt, kind and friendly interposition, in behalf of the Peaceful objects involved in my mission to this Government, and to assure you that your efforts and exertions to induce this Government to listen to the friendly overtures from their Countrymen, are duly appreciated and will long be held in grateful remembrance by a Government and people, whose intelligence and philanthropy is shown to seek a peace even at a great Sacrafice, but this being once, deliberately rejected, and with disdain, by the Mother Country, it remains now for the Republic of Texas to respond to Mexico, whenever the interest and honor of the Country require a resort to Arms. For myself individually, I cannot find language to express my obligations for your kind attentions, and the personal Considerations, with which, I have been so uniformly received and treated.

In closing my Communication, I beg leave to present to you, my best wishes for your Continued Health and happiness through life.

I am, my Dear Sir, with great of high regard, and cordially and respectfully, Your friend and Servant.

To
Richard Pakenham Esqr
H. B. Mts Minister &c

(Signed) (illegible)

Sir,

City of Mexico October 14th 1840

As the Confidential Agent of the Government of the Republic of Texas, I am instructed by the President, that, in the event of withdrawing from my Mission to this Government, without effecting any of the pacific Objects Contemplated by my instructions, to make known to H. B. M.s Minister Plenipotentiary, in Mexico, that, Should the Government of Texas be constrained to change its positions, and Commence offensive operations, it will not be with a view of extending its territory beyond the Rio Grande, and any occupation or military movements West of that River will be temporary, and solely with the view of forcing the Enemy to make peace. — In fulfilling this duty, I avail myself of this opportunity, to express the high regard and Consideration with which, I am Sir, Your most Obedient and very humble Servant. —

(Signed) James Treat

To)
Richard Pakenham Esqr
H. B. M.s Minister Plenipotentiary
Mexico.

Sir,

Mexico 29th Septr 1840

I have the honor herewith to enclose to you a copy of a Note which I have received from the Minister for foreign affairs, in answer to a letter which I addressed to H. E. on the 22nd Inst, enclosing the memorandum which, you put into my hands on the day preceding, requesting to be furnished with a Passport to withdraw from Mexico, and also expressing your desire to receive from the Government an official Communication detailing the origin, progress and termination of your mission to this Country. — The passport issued in conformity with your request accompanies Señor Cañedo's note; but you will perceive that he declines to enter into the explanation solicited by your respective the transactions Connected with your mission, the fruitless issue of which he attributes to your not having Confined your propositions to the basis originally put forth by this Government, Viz: that Mexico would not Consent to relinquish the Sovereignty of the territory of Texas. — It is true that in Señor Cañedo's letter of the 11th December 1839, a copy of which I transmitted at the time to Gen. Hamilton, & of the Contents of which you are also informed, the non alienation of Sovereignty was stated to be an indispensable Condition to any arrangements: but it is no less true that the introductory propositions, presented by you on the 23rd March, last, went directly to solicit the Recognition of the Independence of Texas, with such boundaries as might hereafter be agreed upon; — that this proposition, so far from having been at once rejected by the Mexican Government as inadmissible was referred to the Council of State, where the whole question with regard to Texas was made the subject of more than one anxious discussion; and, finally, that in Conformity with the resolution of the Council the Correspondence which had passed between Señor Cañedo and myself, relative to your Mission, and the propositions presented by you, were submitted to the Consideration of the Congress, where, however, the matter appears to have remained altogether unnoticed. —

It is therefore certain that the propositions submitted by you, although not confined to the basis originally announced by Señor Cañedo, were to all intents and purposes entertained by the Executive branch of the Government, and not, as Señor Cañedo would wish to have it inferred, rejected in limine because they went beyond the basis at first propounded by the Mexican Government. —

The above explanation will, I trust, serve in some degree to answer the purpose of the official communication, which you wished to obtain from Señor Cañedo; but I think it necessary to observe to you that, as my intercourse with the Government relative to your mission has been all along of a confidential Character, I [illegible] at liberty to furnish you with the present statement, [illegible] a

in some respects from that Conveyed by Señor Cañedo note, except for your private satisfaction, and with the understanding that it is not to be made use of in any manner likely to occasion inconvenience to the Government of Mexico.— I sincerely deplore the unsuccessful result of a mission which has been conducted with so much zeal & discretion, and with such remarkable patience and perseverence on your part.—

It may be hoped that at some future, and perhaps not distant period a state of things will prevail in this Country more favourable to the accomplishment of the object which every well wisher to Mexico and to Texas must desire to see effected; & with this expectation I beg leave to assure you of my continued readiness to attend to any Communications which the authorities of Texas may be pleased to address to me with relation to that object, and of my earnest desire to be able to contribute to the establishment of a friendly understanding between the two Countries.—

I have the honor to be, with great regard, Sir, Your most Obedient Humble Ser.

James Treat Esqr. &c. &c. (Signed) R Pakenham.

A true Copy. (Signed) James W. Moore.

Note.— Or Letter from Señor Cañedo. Written in Spanish See file.——

Mexico 4th October 1840

Dear Sir.— I have to acknowledge the receipt of your most obliging letter of the 10th inst, wherein you are so good as to express your sense of my exertions in favour of the pacific objects of the mission on which you have been employed in this Country.—

Much as I regret the failure of our joint labours to bring about a friendly understanding between Texas and Mexico, I request you to be assured that I shall at all times retain an agreeable recollection of our intercourse while engaged in the prosecution of that object.— and alth' you cannot but view with a little greater degree of disappointment the result which has attended so many months of anxious and persevering exertions on your part, allow me to record my humble opinion that every thing that zeal and ability could suggest as likely to lead to a favourable issue has been done by you in the execution of your Commission, and accordingly that you may enjoy the satisfaction of reflecting that if, you have not succeeded it has been because success, under existing circumstances, was impossible.—

With great esteem and regard, and with best wishes for your health and happiness. I remain, My Dear Sir, Yours faithfully.—

James Treat Esqr. (Signed) R. Pakenham

A True Copy, (Signd) James W. Moore

Mexico 21st October 1840

Sir.

I have the honor to acknowledge the receipt of your letter dated the 14th Inst by which, in fulfilment of the instructions under which you act, you are so good as to make known to me "that should the Government of Texas be constrained to change "position, and commence offensive operations, it will not be with a view to extending "Territory beyond the Rio Grande, and any occupation or Military movement to "of that River, will be temporary, and solely with the view of forcing the enemy to "peace". I will take the earliest opportunity to communicate this declaration to Majesty's Government, who, I doubt, not will fully appreciate the sentiment it has been dictated. I have the honor to be, with great regard, Sir, Your Obedient humble Servant

James Treat Esq. &c. &c.

Mexico 5th Nov 1840

My Dear Sir — I was much vexed by the disappointment which occurred about your escort. I hope you will have reached your journey's end without a repetition of the same annoyances. — The enclosed dispatches arrived by the Post on Monday last. I might have sent them by the Post of the day before Yesterday to find you at Jalapa, but I thought there might be some risk of your not receiving them, and accordingly determined to consign them direct to Vera Cruz. — I have written to Mr Elliford in the sense we agreed upon, and I enclose a letter of introduction to Capt Frazer of H. M.S. Ship "Talbot" in case you should require his assistance, in effecting your embarcation. — There is no news here worth repeating to you but I was exceedingly glad to hear, the other day, from Dr Jecker, that he is quite satisfied about the state of your lungs — In fact he says that as far as your lungs is concerned you may live a thousand years — I mention this because, altho' he may have said the same to you, patients sometimes do not place as much confidence in what Doctors say to them about their case, as in what they say to a third party. — I have no doubt that you will have found great benefit to your general health by the change to a milder climate. — Do not forget you promise to write to me from time to time, and above all things recollect that I consider my Commission still open to be the medium of conveying any fresh pacific overtures which it may be thought advisable to make to the Mexican Government. — My firm conviction is that you would gain nothing by attacking or insulting the Mexicans, but on the Contrary bring down great mischief upon yourselves. You may be quite sure that if you do not molest them it will be a long time before they think of attacking you, and meanwhile you will be acquiring strength instead of wasting it, as would be the case if you brought about a state of active hostilities. — This Conviction induced me to write to Gen. Hamilton in August last to the following effect: "I admit that the present condition of "Mexico is not the most favourable for the re-commencement of offensive operations "against Texas, upon a scale likely to lead to important results, but I am also strongly "of opinion that an attack upon any part of the National territory by a foreign "force would not fail to arouse the latent energies of the Country, and induce the "Mexicans to submit to extraordinary sacrifices in undertaking measures of retaliation, "can thus give rise to a state of things far more likely to retard than to accelerate "the establishment of friendly relations between the two Countries". —

This advice I now repeat to you as the friend and well wisher of Texas, and if you should incline to the same opinion, I trust that you will be able to make it prevail in the proper quarter. — Good bye, My Dear Sir, Believe me, with best wishes, Yours always Very Sincerily

(Signed) R Pakenham

James Treat Esqr.

A True Copy, James W Moore

Confidential. City of Mexico October 6th 1840

Sir — Enclosed please find copy of my Communication of 31st Ulto which I have endeavoured to get to you, or some one of your Rebels, by every effort and precaution in my power to make from this place. — Whether I shall succeed or not, remains to be seen — if you get it at all, it will probably be to day. —

I send this down to Vera Cruz, to avail of any opportunity that may present itself, to send out to you, for I have been disappointed, in using for this purpose, the English Packet, as I expected, I should be able to do, when I last wrote you. —

The Packet was to have sailed from Vera Cruz this day, but has been postponed until the 9th inst. in consequence of a misunderstanding between Mr Pakenham and this Government, Mr P. being compelled to demand his passport, and after seven days detention of the Packet Courier, and Negotiation, the matter has been settled.

Mr Pakenham — I believe [illegible]

has cost me, a week's last time but I begin again, tomorrow, and shall know in a very few days, how the land lies, and if, as I anticipate, nothing be done, I shall leave instante for the Coast, and endeavour to find you, or one of your Vessels, if at hand— without a thing further of interest at present. I remain Very Cordially, and respectfully Your Obedient Servant.—

(Signed) James Treat

To
Com. E W Moore
Com^g Texan Squadron
Gulf of Mexico

A True Copy, James W Moore—

Confidential.

Mexico September 30th 1840

Sir.— Your two favour's of 25th August and 17th September were placed in my hands on the 20th Inst having come up by the British Cabinet Courier; their Contents have been duly examined, and I am much indebted to you for the details of your movements and the proffered Service of one of your Vessels, to receive further Communications from me— I am also much gratified that you found it Convenient to dispatch, this promptly, the Sanjacinto with my Communications to Government— Should She return, and re-join you, Struck, we shall both receive fresh advices from Government, which, to me, will be very gratifying, as my latest dates are 15th June.— I notice the assurance you give me, that no molestation had been offered to any Mexican Vessel, or property, by the Squadron, which I have no doubt are entirely Correct But the Government here have information of several cases of annoyance, which they affect to believe, or perhaps, really think correct, as they are in two instances, backed by declarations made by the Sufferers, before the Captain of the Port of Vera Cruz— I will state these cases as I feel satisfied you can dispose of them.— The Vessel called Amelia, Capt Conrad Nardis, sailed from Sanfico on the 8th August and arrived at Vera Cruz, on the 11th this Captain declares, that on the 9th or 10th of same month, he saw a Schooner at anchor near the Shore, about 8 Leagues to the Northward of Vera Cruz; that on seeing her (the Mexican) the said Schooner got under way, and Chased under Mexican flag; on Coming up, the flag was changed for the Texan, the Mexican boarded, and from her taken some 200 or 300 lbs of brown Sugar, a demijohn of brandy, and some Vegitables, and that asking if they had any money on board the Schooner left them.— The Schooner Idelo was chased at the same time but not boarded.— A recent account, which has been sent up to Government States that one of the Texan Vessels took from a fisherman all his fish, and gave him as Compensation, a five dollar Treasury Note of Texas, which has been sent up to Government.— Another Statement is that your Crew have landed on the Coast, Several times, and taken off cattle, without Compensation.— Of course there are many other rumors, not worth repeating, but the above named, seem to be credited by the Government, and the two first stated being official they have a right to assume, that they are true, until disproven. I mention these matters more for your own information, or Government, than because they are of any importance to me here, as I am Situated, now, but if I had a Statement disproving or denying these facts, from an official or responsible source, I should Certainly lay it before the Government.—

I Notice that you will Continue to keep a Vessel at the place named, to receive my Communications, which will be a great Convenience in every way. I also notice what you say about using the Waters of Mexico for your Vessels, and Concur with you in your remarks, on existing circumstances.— I have not written you, until now, as no opportunity has presented to send out my letter, and because I have been expecting my mission would terminate, by, even since the date of my last.— The Government have now refused in toto the Conditions I had so long since placed before them for Peace and Recognition, and I am now dealing with the project of an armistice, and have agreed to wait one week for the result— but very little expectation that we shall agree on any thing, but I will advise the result the moment the parties come to a conclusion.— I have a Passport, and it has been granted this day, notwithstanding the pending, and I have [illegible]

will resign in a day or two, but whether this place will be filled, ad interim, by one of the other Secretaries, or a permanent appointment be made, I cannot say.——
I shall loose no time in reaching Vera Cruz, as soon as I close up here, and without delay join your Ships, or the Schooner, at the place appointed, if there; if not, shall make the best of my way to New Orleans, by Havana, or the shortest route within my reach.——
I send this down to Vera Cruz, to go out to you by the arm Packet Ann Louisa, if an arrangement can be made, and if you receive it, look out for the English Packet, to sail from Vera Cruz, the same, or the next day, where you may, and probably will find another Communication from me and, perhaps, dispatches for Government.— If any opportunity offers, send a copy of this to Government, as its contents will be of interest, and may reach them before my own dispatches.—— I remain very Respectfully and Cordially Your Ob.t Sv.t

Com. E. W. Moore
Sea.n Squadron &c.&c.

(Signed) James Treat

Texas Sloop of War Austin
off Vera Cruz October 29th 1836

Com. Moore to Mr. Treat.

Sir.

The recent of a Mexican Vessel

I received yesterday a Communication from the City of Austin directed to Her Brittanic Majesty's Minister at the city of Mexico, which I send on board of an English Brig of War at anchor at Sacrificios together with this.— I have been anxiously expecting to hear from you since yours of the 21st of August, which Communication I answered and also wrote you on the 17th of September.— On the 3rd Inst. while at anchor under the Island of Lobos (it blowing then a heavy gale from the North) I discovered a Mexican Brig on the Reef about four Miles to the North of us, and after very great exertions succeeded in getting a Boat along side of Her (but not until after She had been aground thirty eight hours,) and rescuing from a watery grave the Passengers and Crew amounting in all to Twenty six persons; who were made as comfortable as they could be on board of this Vessel, and in eleven days were landed at Tampico (to which Port they were bound) with all their baggage. The Brig was the "Segunda Fama" from Vera Cruz loaded with flour, Coffee and other Articles.——
I refer you to the Tampico paper of the 17th Inst. On our arrival off Tampico bar, we were very short of Water, and as the River was very high, I was getting some outside of the Bar at least two Miles from the Fort, when the Boat was fired into, three successive Shots passing very near Her; this circumstance renders it necessary that I should inform you that agreeably to my instructions, I am fully authorized, in the event of a Shot being fired at our Flag, to commence active hostilities, and if your negotiations are broken off in consequence, you will find a Vessel off Bird Island ready to convey you to Texas, for from this day any Mexican Vessel, that I fall in with, will be captured.
I am Very Respectfully your Obedient Servant

(Signed) E. W. Moore
Capt. Com.g
Texas Navy

Mr. James Treat
City of Mexico

I send you Copies of letter from me to the Capt.n Gen.l at Tampico, and his reply in relation to the Brig "Segunda Fama". Yours &c.

(Signed) E. W. M.

A true Copy, James W. Moore

Mr. Moore to the Commandante at Tampico

Duplicate.

Texas Sloop of War Austin
off Tampico Bar 16th October 1836

Sir,

This will be handed to you by Captain Pablo Medan of the Mexican Brig "Segunda Fama" from Vera Cruz, bound to Tampico with a cargo of Flour and Coffee, which Vessel struck on the reef about four Miles North of the Island Lobos on the night of the 2nd Inst. during a violent gale and bilged.
All [illegible] time at

day, as soon as the Brig was discovered, every effort was made to save the lives of those one of the Boats of this Ships succeeded in getting along side of her, but not until af She had been aground about thirty eight hours, and it gives me pleasure to inform you that we did succeed in rescuring from a Watery grave, every Soul, Twnty six in Numbr who were on board, and also their baggage. Captain Pablo Alcedan goes on Shore in his own Boat (which has been repaired) manned by men from his own Vessel, for the purpose of procuring a Launch to take the Passengers, and every thing they have saved, together with his own property, on Shore, and I give you this my assurance, that any Launch or other Vessel that you may please to permit to come out for that purpose, will not be molested by this Vessel or any one on board of her. Captain Pablo Alcedan will give you a list of the passengers, and I refer you to him and every other person who was on board of the Brig, as to the mode of treatment which your Countrymen whose misfortune it was to be Shipwrecked, and thus to fall into our hands, have received from us, Contenting myself by asuring that they have had since they have been on board of this Vessel every Comfort which it was in our power to give them.—

I have the honor to be very Respectfully your Obedient Servant

(Signed) E W Moore
Com.g Texas Navy

Jr. Commandante General
Dn Joaquin Rivas Sayas
Tampico

A True Copy E W Moore

(Note. for Answer to the above, See file. (in Spanish)

Mr Dunlap to Secy of State. Relating to interviews with Mr Martiney

Washington Octr 12th 1839

Sir I have the honor to transmit to you, a Copy of a correspondence between myself and the Mexican Ministers resident at this Court.— I had some difficulty in obtaining a personal interview with Mr Martiney. Through the kindness of the Belgian Charge Mr [illegible] I succeeded. I pledged myself that the world should not have this until Mexican results should justify its exposure, so I give it in Strict Confidence. You will discover from my letters, that I gave them a caste to protect the Mexican Minister against the vanity and jealousy of his own Government.— I have had these interviews with Mr Martiney at his own house, and one in my room, our correspondence was delivered to our Mexican Minister at Washington by each other. This day Mr Martiney handed me his dispatches touching the whole Relations matter for me to send to Mexico, and he sends a duplicate. he read me his letter to his Government. He has taken a liberal and sensible Stand on the proposition of my letter and is most decidedly favorable.— He told me what he had written his Government last Spring, of which I have advised the President, all of which was confidential as it resulted from what passed from me. through Mr Forsyth connected with the action of this Government. This Government thanked him for his information and opinions and said they would be duly considered.— Since this Mr M. received a private letter, which he shewed me in confidence touching the question of pacification.— The reason that the writer assigns for the delay of the Government, is that the President and Cabinet are fearful that their enemies might effect them, with the people.— He says he has no doubt that Bustamente will agree to the truce for two or three years, and in the meantime all fears and prejudices will disappear, and a Treaty of amity &c will follow.— The question of extending our boundary to the Pacific, he says will be rejected by other powers, they will see he says that the trade to be changed from this Government, and be brought through Texas I believe other powers will care about this.— Should I not have extention of our line, had I not have seen the instructions not mentioned in my instructions.—

Anna [illegible]

Congress for a suitable appropriation, that the proposition was laid on the table by Mr Austin's friends, and that there it yet sleeps.— That fact which I stated that our agent had declined to write me the civil wars of Mexico, would have great influence with the Government and the people, and more he thinks than any other consideration. The Mexican Congress is now in session, revising the Constitution. The regular session commences in next December. Mr M. believes that my letter and his, will all be submitted to Congress, as he says this is the first proposition coming directly from Texas for peace.— — — —

Mr Martinez is well acquainted with the character of the President and his Cabinet, and of the character of population emigrating to the Republic, all of which he has advised his Government, he also is well informed of the feeling for Texas, in the United States— and he adverted to me that the invasion of Texas would terminate in the overthrow and ruin of Mexico.— Mr M. is a sensible, and a just man, and what he has done in this matter was under the dictation of duty and patriotism.— — Have the honor also to enclose a

Concerning the Indians uniting with the Mexicans

Copy of a letter from Col Mavey inclosed to me by Mr Forsythe Shewing the Condition of the Indians on or borders, you see by this that no attempt has been made by the Indians to unite with those in Texas. This at all events is the evidence upon which this Government will act, unless as have previously written to the Government, countervailing evidence shall be produced.— But I hope this question is at rest. The Caddo's will be recalled. The difficulty of deciding when and what particular Indians emigrated to Texas makes it a perplexing question to ask this Government to recall any, unless the application be attended with the Number and discription of the Indians desired to be expelled.— Suggest this that you may consider what is best for me to do, of which I shall be happy to be informed.— I have given you rather a tedious detail, that you may see the whole ground, and the prospect of a settlement of our difficulties without the wasting of blood or treasure.— — If the Government will only patiently persue the policy adopted by the President, in relation to our Mexican difficulties, we will have peace sooner and on better terms, than it has ever fallen to the happy fortune of any other country.— Kindness and liberality towards the Mexican

State of Texas in Europe

trader and people, will do much for us, give the Country all it wants from Mexico.— But it will take time, as it always does, to produce great results.— Texas is advancing in public opinion in Europe and America.— If she is just to herself she has every thing to hope and nothing to fear.— I also enclose a copy of a

Terms on which money can be got from U S Bank

letter from the President of the United States Bank, which shews the only terms by which money could be obtained for Mr Treat.— I would not have agreed to allow this Money to remain in bank, but after reading the instructions to Mr Treat, I felt sure that the President and Cabinet deemed this an important mission.— The delay that the waiting for the permission of the President would occasion, was too great, if any thing valuable was to result from the Mission, of which I entertain the most sanguine hopes.— I hope if my Conduct be objected to, in this matter, that you will be mild in your rebuke, and do justice to my motive.— I trust you will

Relating to a post office arrangement between U S & Texas

pardon me, while I call your attention to a post or mail arrangement between the United States and the Republic of Texas, which I made with the Post Master General here and transmitted to your Department in May.— This only wanted the acceptance and sanction of the Post Master General of Texas.— — Aside from the General Convenience which would result to the Citizens of both Countries, from this arrangement my own convenience would be greatly consulted.— I now have to pay the postage upon all communications which I forward or receive to, and from the Government of Texas.— This arrangement is nothing more than extending the Mail System of the United States into Texas.— The Liverpool brings the news, that France has acknowledged the Independence of Texas. Gen Ha[illegible] v. has returned with the prospect of getting the loan by P[illegible]

of her tendered mediation to Mexico, this is all that will delay her action. — — — —

other powers of Europe will follow Englands lead

— The balance of the Powers of Europe will follow Englands. Belgium, and Russia would now act if we had Agents there, or some commissioner with powers to act with as the European Governments. — Gen Henderson will not return, until he ascertains what Great Britain intends to do. — Our Ship has been launched, and will sail, next m for the Republic. the last brig will be out about the first of December, as I am advised. —

Ships Launched

— Col Dangerfield writes me that he is proceeding well with his contracts for the War Department. — I have had the honor to receive a letter from the War and Navy Departm of the acceptance by the Government of the 100 Bale rifles, which I sent out, of the cost of which, I will advise the Contractor. If I had not believed that the Country was about to be invaded, I would not have taken any portion of those arms without the satisfaction of Government. — I could not have made the Contract as I did, of I had have taken wh I did. But as my motives have been duly appreciated, by receiving no rebuke from my Government, I shall in future confine myself to my instructions. — —

Acceptance of Arms by the Govt

I avail myself of this occasion to offer to you, my high regard and Consideration — — — — — — —

R. J. Dunlap

Hon. D. G. Burnet
Acting Secty of State

Washington Octr 8th 1839

Sir,

Mr. Dunlap to Mr. Morfit

You have been informed some months since, that I am invested with power from my Relative to Government to terminate by Treaty the present relations which unhappily exist between Mexico and Texas. — This power was conferred upon me with the expectation, that should the Treaty with disturbed condition of our Country forbid your Government to receive and Treat with Col. Morfit - Dec, that they would transfer the Negotiation to this place, with authority to you or some other and other Agent to Submit the case to the Mediation of some friendly power. — The President - relative mediation Texas made the overture for peace, by sending a Mission to your Government, which admitted a civil way the declined. — In this he was guided by that wisdom which the happiness and well being of every civilized nation dictates. — Peace is the natural Condition of men and Nations, and in the utmost frankness I assure you that the President will leave undone nothing, but that which national honor shall forbid, to obtain it. — Tranquility has been restored to Government. — The agitation of Revolution no longer disturbs her Councils — is not this prop time for your Government to decide whether She will accept the overtures for peace, and no Keep Suspended and Crippled the energy and resources of the two Governments. — — —

Concerning a Truce

I am further authorized to agree to a truce, a total Suspension of all hostilities for t three years, by each Government, giving the guarantee to some friendly power that there sh be no violation of the terms of the truce, and that six months Notice shall be given either Nation before the recommencement of hostilities. — If your Government will agr to establish the dividing line between the two Governments, so as to run in some suitable manner to the Pacific. The Republic of Texas will give an equivalent in money — wh shall be just and right will be given by my Government, whenever the extent of the b shall be designated by the Contracting parties — Texas has no National animosities gratify against Mexico, She has no ambition to waste her blood and treasure in field of Conquest — She has declined the earnest importunities of your own Country to become a party to your civil Wars — She was driven reluctantly into the Late Re by a devotion to her rights, and She will never yield that which was so nobly won in the contest. — The power and destiny of revolution has ma our Separation from Mexico — The tendency of the principles of this re has demonstrated in the history of Mexican Independence, as re orable examples that a revolution guided by a love of liberty re onward and onward is its advancement and condition of Texas.

I have

More than one Government has offered to interpose her council and influence for the settlement of the present difficulties between Mexico and Texas— This manifestly indicates that peace is in the opinion of those Governments the only, and legitimate State for any civilized Nation.— Pardon me while I invite you to look at the two revolutions of the American and Mexican Colonies, and of the wisdom and magnanimity displayed by the mother-Country in one case, and the total result of both in the other, with the consequences upon each of the New Governments, so soon as the fate of arms decided for the Independence of the United States. Great-Britain midst of her interests and duly formed a Treaty of alliance peace and commerce with her rebel Colonies, the fruits of which have been richly and beneficially felt by both nations— The effect of this wise liberality on the part of Great Britain, has been to blend and advance the prosperity of both Nations, that one could not now scarcely exist in a State of Commercial prosperity without the other— Of the fatal effect of the tardy and ill-judged Course of Spain towards her rivaled Colonies, who had so gallantly won their Independance from can be better informed than you and your Government— Mexico and Texas are neighbours, and that system of policy which will have the happiest tendency to facilitate each others prosperity certainly well marked out to the rulers of each Government— if your Government shall drive Texas from all hopes of a peace, She will use the means within her Control for the final and permanent Security of herself— This I pray you to believe is not said in the Spirit of threat— It has often and urgently been preged on the President of Texas, that the surest and speediest way to obtain peace, was to make War upon Mexico— This will be his last alternative— I ardently trust, that the necessity for such a result may never occur, and that the time is not distant, when Mexico and Texas, shall live side by side, in the bonds of that harmony and good feeling, which is dictated by the interests of the two Nations— If you will forward this to, your Government, and say to me that you entertain hopes that your Government will either make peace upon a permanent and just basis, or agree to a truce as proposed, I will write my Government which will restrain them from making any offensive movement, either by sea or by land against Mexico, until a sufficient time shall have elapsed for the action of your Government— The minister of Texas embraces this opportunity to tender to the Minister of Mexico, his personal regards, and distinguished Consideration—

Hon.
J. Pizarro Martinez
&c. &c. &c.

R. J. Dunlap

Arguments concerning the same Subject

Translation of Mr Martinez Letter to R. J. Dunlap

Mr. Martinez to Mr. Dunlap in answer to foregoing, on the subject of a Treaty with Mexico—

(Secret and entirely Confidential)

Georgetown D. C. Febr 9th 1839.

Dear Sir—

I have received your letter of yesterday addressed to me— Not being empowered by my official attributes to enter into any argument on the very important point to which you refer therein, I shall be constrained to limit myself solely in the present case to the Communication of its Contents to my Government, whose decision on the Subject will be Communicated to you at your Convenience— —

I have the honor to assure you of my high Consideration and to subscribe myself your very Obedient and assured Servant, who kisses your hands

Senor Dn. R. J. Dunlap—
Washington

Jose Pizarro Martinez

(Copy)

Washington Octr 9th 1839.

Mr Dunlap to Mr Martiny relating reply to my Communication of yesterday.— I do not object to your manner of addressing me as a mere private individual— Your Government has not recognized the Republic of Texas, and consequently you cannot as her representative— My object in writing you, was that your Government might be advised of the Spirit and feelings with which the President of Texas was actuated in making overtures for Peace, and that you would feel it your duty to place the propositions submitted in my letter, before your Government— This mode since Col Bees rejection was believed by me, to be the most certain one to give your Government, the wishes of the President and Cabinet, which would enable your President and his Cabinet to meet the question for peace fairly, and understandingly— I am truly happy to learn, that although you have no authority to entertain the question of the final Settlement of our difficulties, that you have consented to submit the matter for the consideration and decision of your Government.

The Minister of Texas, tenders to the Minister of Mexico, his highest regard and distinguished Consideration

To
P. Pizarro Martiney
&c. &c.

R. J. Dunlap

Colonel Many to Adjutant General Jones

Mr Many to Genl Jones relating to the Indians on the 30th

Head Quarters 3d Infantry
Fort Jesup Aug. 25th 1839.

Sir I have the honor to acknowledge the receipt of your "Circular" dated July and in reply have to State that the only Indians living on the frontiers of Louisiana or within three hundred Miles of this Post, are a handful of Caddoes near Shreveport, who have not the means of creating any disturbance on the frontier, nor have they ever discovered any feeling like hostility to the whites.—

Conversation has with the Indians

Last Spring I had a Conversation with the Chief of that little band, who live without Shreveport, in which I told him to keep his people entirely within our limits and to prevent them from committing depredations on the whites, under pennalty of loosing the protection of the United States, and being punished besides for the outrages.— I am well satisfied that the Mexicans have made no effort to excite the Indians within our territory, to hostility against Texas, and so far as reports have reached the War Department to that effect, or to the frontier of Louisiana they are incorrect. I have not received an acknowledgement of my report of the 19th of April last.—

I am Sir very Respectfully, Your Obedient Servant

James B. Many
Col 3d Infantry.

Brig. Gen. R. Jones
Adjt. Gen. U.S.A.
Washington D.C.

Dunlap to Bunlap Money advanced for Mr on account

Bank United States
Sept 28. 1839.

Dear General— You will of course appreciate the proper authorities, that a draft on account of money advanced to day, for the Bill on London, say $3633.33 (three thousand six hundred and thirty three 33/100 dollars) is to remain here pendanced, of the depositt by W.L.B. existing in this Bank until the Bill is paid, and will much oblige me addressing to me a note saying that you have so advised them

Yours

Gen R.J. Dunlap—

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(Private) New Orleans

January 5th 1840

Mr Hamilton to Secy of State

My Dear Sir.

I send you for the information of the President and his Cabinet, the enclosed Documents.— First a letter which I have received from Mr Packenham, with my reply, and secondly, a private letter from Mr Treat. you will perceive that the Mexican Government is willing to treat for an Armistice, which of course is the entering wedge to a treaty of peace, but as they might procrastinate for years, I hope I have placed this matter on a footing acceptable to the Government— It will not be until Lord Palmerston receives my Communication informing him what your Government has done, that the full effect of the measure will be seen.— Mr Treat may fail, from the excitement the capture of Matamoras may produce, but whether he fails or not, the President late proclamation, and the action of the Mexican Bondholders, will produce a new State of things.— Let me then earnestly and respectfully urge upon your Government to adhere to the policy of the President late proclamation— Keep your fleet at home until you hear from me, from London— a single indiscreet movement, would destroy all prospects of peace and my Negotiation.— Let me beg of you to use your influence with Congress to have French wines admitted free of duty whenever the President should by proclamation deem it fit to reduce the same.— It is a mere bagatelle and may secure our success in France.— and get that act passed authorizing Mr Burnley and myself to pledge the Bonds— be so kind as to remember my Commission, if it is not sent, and to foward an authenticated Copy of the act authorizing us to pledge.—

Mexican Govt willing to treat for an Armistice

Policy of Texas to ensure peace &c with Mexico

With Sincere esteem, my Dear Sir, Respectfully—
Your Obedt Servant

Hon D G Burnet
Secty of State.

J Hamilton

P S Gen Henderson very wisely provided for the exchange of ratification in Texas.— The Government must not be at all discouraged at the apparent obstinacy of the Mexicans— every thing will work right as soon as John Bull, in London understands what he is to get by it.— All communications for me, be so kind as to send to the care of Mr Jackson at Galveston.— Inclosing a part of the Secret Resolutions and proceedings to send to Mr Packenham for his own use— I only copied such parts as there was no impropriety on his seeing all relative to the honest intentions of Texas

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(Private and Confidential) New Orleans
2d January 1840

Mr Hamilton to Mr Packenham

Sir

I had the pleasure of addressing you from this place, in Nov. last, as I was on the eve of my departure for Texas— I now do myself the honor of apprising you of my return from Austin, the New Capital of the Republic, on yesterday.— I enclose you with the most perfect unreserve and with the highest confidence, copy of the Resolutions paped with scarcely a dissenting voice in secret session by the Congress of Texas.— You will see that this body are pledged to support the Executive in a pacific adjustment of the difficulties with Mexico, if he be inclined to listen to the proposed mediation of your

Secret Resolutions passed by Texan Congress

ment— Policy of course to

up an intimation in the Resolutions of the willingness to pay the Money for the disputed Territory and boundary at the Royal exchange London to whomsoever the Mexican Government might appoint to receive it— But when the guarantee of Great Britain for the faithful performance of the Treaty is suggested it is quite obvious that Texas expects to pay the money over to the Mexican Bondholders in London, to whom in good faith Mexico is bound to direct the Money should be paid— I have been appointed by the Government of Texas, the Commissioner under the Secret Resolutions enclosed. I am clothed with ample power to act in the premises on my arrival in England, and on the spot to accept the Mediation of your Government should it be proposed, and to conclude a Treaty of Peace and boundary with Mexico— The whole case is now open to your and it will be for you to decide whether five Millions of dollars are worth saving for your own people— with the weight which a Treaty with Mexico would give to the Negotiation, I am sure the indemnities Loan would be borrowed without difficulty in England or on the Continent— I should apprehend, to Mexico would be an inestimable boon— If Great Britian guaranteed the Treaty, her boundary would be secured for many years to come, when if ever the institutions of Mexico are consolidated, and social order established it might under a State of peace be expected,— If however she declines the proposed mediation of your Government, to be declined by Mexico, the whole of her Northern provinces must be revolutionized. For the Federalists are courting the alliance of Texas with great assiduity— I send you an advertisement of Gen Anaya in proof of the fact, he has been endeavouring with success to enlist the Government and people of Texas in his cause, but they have determined to wait the result of the overtures of your Government.

To show you that what Wisdom and moderation Texas is acting, I enclose you a proclamation of President Lamar issued in consequence of Gen Woll's late expedition, who has been struck from the rolls of the army— I purpose embarking from N.Y by the first Steamer that commences running with Spring to complete the Loan— 5 Millions as the Government has assented to the terms in which it is proposed that the transaction should be effected— Should Mexico decline the mediation of England and your Government decline recognizing of Texas (which however I have Lord Palmerstons positive assurance she will not do) I will then cross over to France and secure a negotiation of the Loan which I have proffered to me in that country— Texas will then have no other alternative but to compel Mexico to come to terms, by doing her all the harm in her power— But I trust from considerations of Justice and humanity, your Excellency will be able to interfere effectually in this matter, that the expenditure of human blood may be spared and that the treasure of both countries may be used for the purposes of civilization, and benevolence rather than for that of desolation and distruction—

I beg leave to refer again to Mr Ellis, for the testimony of any claim, I may have on your confidence—

I have the honor to be, with distinguished Consideration, very respectfully
Your Obedient Servant
(Signed) J. Hamilton

P.S be so kind as to direct any reply with which you may honor me under cover to the British Consul New Orleans— Should the Government of Mexico accept of the proffered mediation of England, I would suggest that your Excellency propose an Armistice and send a Messenger to Texas, to have it agreed to confirmed, that heavy penalties may be imposed on any of her citizens their territory and joining the Federalist— I believe if this measure is not the whole of the Northern provinces will be revolutionized by May—

Sir

Since writ
2d Account

Concerning a Mediation & Armistice

I shall not fail to recognize as highly confidential — unless Mexico accepts the Mediation of your Government or that of the United States with a view to the ulterior pacification — I am satisfied that Texas will enter into no Armistice other than the one She was voluntarily imposed upon herself — in the enclosed proclamation of her President connected with the inadmissable condition that her own Sovereignties over her own territory is not to be assumed — To enter into an Armistice, without any approach towards a stipulation for an ultimate Treaty of Peace might inhibit Texas from resorting to those means calculated to force this result — at least it would prevent her from availing herself of circumstances as they might arise — all that I can do as the Commissioner of Texas is to authorize you to consider an Armistice as Concluded between the two powers and make authentic declaration that the same has been concluded, effected by the mediation of your Government, Continue in force until the 1st of April 1841, Provided it is agreeably, a secret article that the negotiation for peace, are to be opened forthwith, either at London or Washington at the option of Mexico — otherwise it must be obvious that with her fleet which will be already to put to Sea, by 1st March next, with 10.000 Stand of arms and with clothing, which She would transfer in a Month, to the Federalist Texas would have no motive to enter into mere naked Stipulations to abstain from hostilities when She fears nothing from Mexico — She is too wise to hayard an expense on an invasion of Mexico, but She may give "aid Comfort" to the Federalists — in her own territory, and by her fleets on the Shores of the Atlantic and Pacific, blockade, bombard or lay under Contribution the Ports of Mexico on both Oceans — I am in hopes however that when the Government of Mexico, sees President Lamars Proclamation they will take a different view of this subject under a conviction of the management and forbearance of Texas, and with a full Conciousness that She is prepared to do justice — It is however in vain to conceal the fact that Texas is daily becoming so Strong, She will soon look to her power to shape her policy, upwards of 100.000 emigrants have gone into the Country since 1st October last, from the United States, and 5000 Waggons have Crossed the Sabine this Winter, or are on their way from the Western, and S. Western States —

General remarks Concerning a Settlement of difficulties with Mexico

Increased of population

I have the honor to remain with great Consideration and Respect Your Excellency's most Obedient Servant —

(Signed) J. H. Commr. of Texas.

His Excellency
Richard Pakenham
Her Britanic Majesty's Minister —
P. & E. — at Mexico —

P. S. — In case of the necessity of refering to any friend of Texas in Mexico, I beg leave Confidentially to inform you that Mr James (the Gentlemen to whom I alluded in my former letter) who has the confidence of the President of Texas as well as my own with whom you may Communicate with entire freedom and unreserve for any thing he will do, Texas will confirm — . Be so kind as to foward your letters to me, through Mr Crawford the Consul here —

(Private and Confidential)

Mexico 12th December 1839.

Sir

Mr Pakenham to Mr Hamilton

information of Mission to Europe

I had the honor, on the 4th of this mon. to receive your letter of the 18th of November.— Mr. Fox has not sent me a copy of the Communication to which you allude, but I had heard through other channels of your Mission to Europe, as well as of the success which had attended your negotia with the French Government.— It is some time since I received from Viscount Palmerst Instructions to tender the good offices of Her Majesty's Government towards affecting a arrangements between this country and Texas: but I regret to say that all my exertions t induce this Government to entertain the question of recognition have hitherto proved unavailing.— Not but that the more enlighted Members of the present adminis appear to understand that to continue the Contest with Texas, would be worse tha useless, but there is no man among them bold enough to confront the popular opinion or, I should rather say the popular prejudice upon this point, which is strongly pronounced against any accommodation with Texas.— Besides which they fe and not without reason, that, for the sake of party objects, an attempt would dishonestly be made to crush by the unpopularity which would, very certainly, attend such a measure, any Government which should be bold enough to ad cate the policy alienating what is still talked of as a part of the national

The natural policy of Texas

Territory.— Under these circumstances it appeared to me, that the next best thing to propose, was a mutual suspension of hostilities as a preparatory Step to the ulterior measure of absolute recognition at a future period.— You are, I dare say, sufficiently acquainted with the Spanish characte to understand how intractable they, and their decendants likewise, ar in matters affecting their pride, and what they are pleased to call their National honor.— To this feeling it was owing, that Spain forbore to ack wledge the Independence of her former American Colonies, for so many years, after all hopes of effecting their reconquest had utterly vanished.— And to the same feeling of mistaken pride among the Mexicans in gener and to a want of honest energy in the Government and the higher classes of the community in endeavouring to inculcate more enlightened views must be ascribed in a great measure the difficulty of affecting at th moment an arrangement, however advantageous to this country, with a late territory of Texas.— Some time ago Señor Cañedo, the Minis for foreign affaires, who, to speak the truth, strongly inclines to the cour which wisdom and sound policy recommend with regard to the ques of Texas, informed me that after repeated and arduous discussions w his colleagues he had succeeded in obtaining their consent to place on records of their deliberations a minute to the effect that if Commissioners from Texas should present themselves, they would be listened to, with the distinct understanding, however, that no proposition for the alienatio of the right of Sovereignty would be entertained.— But as he would no take upon himself to put into my hands any written communication to that effect, or even Convey to me a more definite understanding of wh his Government might be disposed to accede to, in the way of armisti or otherwise, I did not think myself at liberty to recommend to Colo with whom on the occasion of his late mission, I had had some c munication, to undertake a first journey to this country, upon such and uncertain grounds.— On receipt of your letter I again e into communication with the Mexican Government upon t ortant subject to which it relates; but I am sorry to say, as gards the question of absolute recognition with no bette before.— Nevertheless I have obtained from Se Communication, a copy and tr nclose, Stalina

The inclination of Sen Cañedo

the subject again introduced

assurances by Mr

from the inhabitants of Texas; but that on no account will they relinquish the right of Sovereignty over that territory.—

against the policy of Texas

—I do not of course presume to offer my advice as to the notice which it may be proper to take of this communication, but I must not forbear to express my honest conviction that the wisest course for Texas to observe, would be to take advantage of the opportunity thus offered to propose to Mexico a mutual suspension of hostilities, subject to such other conditions as might be considered advisable for the interest and security of either party— I admit that the present condition of Mexico is not the most favorable for the recommencement of offensive operations against Texas, upon a scale likely to lead to important results, but I am also strongly of opinion that an attack upon any part of the national territory, by a foreign force, would not fail to rouse the latent energies of the country, and induce the Mexicans to submit to extraordinary sacrifices in undertaking measures of retaliation for such aggression, and thus give rise to a State of things, far more likely to retard than to accelerate the establishment of friendly relations between the two Countries.— On the other hand, an agreement for the suspension of hostilities once distinctly established the irritation attending the present State of things, would soon pass away, the question of Texas would by degrees cease to occupy in a prominent degree, the public attention, and the force of circumstances alone would before long accomplish the rest.—

The condition of Mexico not favorable for the recommencement of hostilities

Concerning the suspension of hostilities

You will I trust, Sir, excuse the freedom with which I have expressed to you my opinions in the course of this letter.— It will I assure you, afford me great pleasure to attend to any further communication which may be addressed to me, connected with the object of your present correspondence; and, in fulfilment of the instructions of Her Majesty's Government, to continue my endeavours to forward the establishment of a friendly understanding between this Country and Texas.— In conclusion I take the liberty to point out to your notice the confidential character of Señor Cañedos communication, and to request while making such use of it as you may think expedient, you will have the goodness to prevent its acquiring unnecessary publicity, in order to avoid the inconvenience which might be thereby occasioned to the Mexican Government.—

Concerning the confidential character of Señor Cañedos letter.—

I have the honor to be, with high consideration, Sir,
Your most obedient humble Servant.
H. Pakenham

To
General James Hamilton &c. &c.

Palace of the National Govt
Mexico 11th December 1839

Mr Cañedo to Mr Pakenham relative to the question of Texas

Sir— I have had the Honor to receive the Confidential Note which you have this day addressed to me, reminiding me of the several conversations which we have had in consequence of the instructions which Her Majesty's Government have sent to you— relative to the question of Texas— You are pleased to express to me your desire to be informed whether at length any resolution has been taken by this Government with regard to the friendly proposals which you had made in fulfilment of your aforesaid instructions and in answer I have the honor to State to you that the Communications of the inhabitants of Texas, will be listened to by the Governme

of Mexico, subject to the indispensable condition, that the latter desist from the National Sovereignty over that Department of the R.
State advantage &c &c—
Con Richard Pakenham &c—— (Signed) Juan de D. Cañedo

Mr Inst. to Mr Hamilton

(Private & entirely Confidential) Mexico December 16th 1839.

My Dear Sir—— I arrived here on the 11th Inst. (Evening) but did not receive your favor of 18th Ultimo (Covered to Mr Ellis) until 14th which was the most important as I had the same matter, in substance, in your two favors of the 5th of dispatches Nov. Charleston & 20 from New Orleans. I have noticed very particularly, all you say, suggest and recommend, and have already told you, from Vera Cruz, that all your hints and observations should have due attention, here, when the various time arrived, to discuss the question at issue— You will perceive by my letter remarks from Vera Cruz dated 6th & 7th inst how matters then stood, so far as I could Concerning them understand there, and I refered you to my several dispatches to the Secretary of State, and to Gen Samar (the former seen as official and the latter with the private) for all the details of the position of things, as I then could understand and ascertain them.— From these papers you will perceive the difficulties which momentarily Negotiation (at least) surrounded me, and the accomplishment of my objects, and at same time you will find enough to hang a hope upon, that all these, might be overcome, as much as to say, I have hopes, which can neither be confirmed, nor destroyed, until I reach Mexico and see how the "land lies" * I am now here four days, and understand something of the difficulties, real and bonafide which I have to remove in order to begin fairly * I have addressed two letters to Genl Samar since my arrival here, say 12th and 14th Inst, one, I hope will reach Erie (Sloop of War) and, the other, a private Vessel from New Orleans on your return from Texas, and find them, or either of them, in the hands of Dr James Ritchie, it has occurred to me that you might feel authorized to open them, or you might be expressly authorized to open, see their content and forward.— Be this as it may I now propose to give you, a view of the present posture of affairs here, as regards prospects of my success, as may enable you, to be governed in your movements accordingly.— I told you verbally, and repeated it in my Vera Cruz letter, that my opinion was and still is, that you should not leave New Orleans, for the north, to re to Europe, until you knew the result of my Mission, by letters from, or interview with me.— This opinion is based upon the supposition, that whether I fail or succeed, you, and the Government of Texas, ought to know it before your departure for England, unless indeed there should be something urgent— in that case, letters or a messenger could follow you.— Your operations, in my humble opinion, might be changed, the views of the Government might be altered— a larger amount than your present authority of 5000.000 might be requisite, and especially if I should have the good fortune to close an arrangement.— You will have seen, that Concerning the movement of Ross and his party, with other volunteers, to which they of Ross and attribute the success of the federalist, and the surrender of the troops, in his party, near Mier, (some 600 men) have produced much excitement, on the part of the Government, as well as in the public mind— the Government has taken all the measures, in their power, have called on Congress for power to levy Taxes, to support the war, against Texas, and to reduce that Department, to the National Union, &c &c &c. not said this measure initiated in Congress, and without, and without the action of that body, another [illegible] of Law, is a of War) Sr Alm

to write act or speak, in favor none of the views and intentions of
Concerning the fluctuating & divisions of opinion of the Government
the Texians, or in favor of the views of any foreign power, having for its object to dismember the territory of Mexico &C. The executive is not of the same mind, two days in succession, on any important matter, the Cabinet often divide in opinion and action.— The counsel of Government often at war with the views, and wishes of the President and his advisers and the Government often in a minority, in Congress, even in their favorite measures, and when they make the greatest efforts — The Secretary of War, who acts with the President, and one of his colleagues are committed before the public with the initiatory measures above cited, and every thing is unhinged and unsettled.— The two great parties in congress, opposing each other, in all important measures— one in pro— and the other in contra of the Cabinet.— Under these circumstances one would suppose that nothing could be accomplished, at the moment, nor even undertaken with the slightest hope of success; But I have always found, that to know exactly the difficulties of ones position, is to approximate to their removal— So I am at work— I could not throw off my incognito (while I have managed to persevere until now) because this would compel the Government to act, and to expel me (probably) in order to act consistently with these existing and pending measures, and because the press, and the public, would cry aloud; and the Government would be charged with privity of my being here, and suspected of selling Texas &c &c. I could not approach Mr Pakenham with Gen Dunlap's letter, introducing me officially, because 1.st I understood from good authority, that, three times, he has verbally, appealed to the Government, that is to two or more of the Ministers, offering
Concerning Mediation
the mediation of his Government, and has met with a sort of negative, or with indifference at least, on the subject, saying that until the Congress, had disposed of the measures, recommended by the Executive, through the Secretary of War, they must decline, any acceptance of mediation, 2.d I have not approached Mr Pakenham, because I am of opinion (from all I can learn) that other measures, which are now in progress, promise the greatest prospect of success; and until they fail, I shall hold in reserve the co-operation of Mr Pakenham.

relative matters
There are also other, and cogent reasons for this, which I cannot now enter upon (even were it proper) for want of time and room.— again I would not, sound Mr. Ellis, though I have seen him, and by the letters I sent him up from Vera Cruz, he must know my objects. Yet I have not changed a word with him, nor will I, unless he approaches me, and then, even, I must be cautious— no more of these things could I do, or attempt to do, without risking too much, on one throw, and hazarding the better prospect, of other preliminary measures, which though they fail, would not destroy the chance of the other Steps, or measures, which I have for the present only deferred.— This is about all I can say, for it would be improper, to detail too much— suffice it to say, that my first effort, has been, and is, to destroy or neutralize the two measures of the Government (the two initiatives) the first asking for ways and means to bring Texas into the union, (that is, go to war with Texas) and the second is declaring it treason &c to speak write, or act &c.— If I can cause these three projets to be rejected by the Deputies, the Government will perceive that its views are not supported, by the chambers, and then will change their ground— (probably) and here I must explain what I have omitted, in its proper place, that you will comprehend the whole ground.

Government ask for ways & means to carry on war

initiative refered to, has two counts— 1st the Government asks for ways and m
to carry on the war as above, and the second count, asks Congress for authority
adopt all necessary measures, political and Military— This (word) political (in
original politico-Militiar) it is believed, is intended, by the Government to mea
authority to negotiate: That is to say, the Government has asked Congress, for means
Carry on the war, and at same time, to negotiate.— The expresion, politico, is indee
very narrow, to base authority, to negotiate, either for a Sale, Cesion or, Recognition
but this is one way, of doing things here, as they can exemplify, interpret, any thing
to suit their own views, with this explanation, you have the whole proposition o

Concerning Mr Pakenhams repeated proffer for Mediation

the Government to Congress— Tomorrow I may be able to add the report of the Commit
on both points, tho, not the final, action of the house.— Now the Government has be
induced to ask for the second power (to negotiate) from one of two causes— viz— 1s
in consequence of Mr Pakenhams repeated proffer of Mediation, which, has been Constan
declined (at least, until the result of the action of the chamber, should be known
&c, or 2d in Consequence, of some of the Members of the Cabinet, having been appreh
on the subject of recognition, limits and Compensation by my direction, and thoug
my friends here, before and since my arrival, one or both of these motives, even induce
the Government to ask for powers to carry on the war, or make a peace, as we will c
it, for shortness and clearness, The responsibility, is thus, thrown on Congress, and
any event, the President and Government will escape censure, If the Chambers—
refuse the supplies, the Government will say, we asked and urged the ways and
means; Congress refused them; we have done our duty, theirs is the blame.— If

Concerning the course of the Government

they refuse the powers political, (or to negotiate) the Government, will say, we—
asked for both, powers, to make war or peace, Congress would grant neither, n
the Government has done its duty, let Congress dispose of the whole question &c
as it pleases, you will perceive, that the Government are afraid to move any n
of Mediation, having for object, a recognition or arrangement in Consequence of their
weakness and unpopularity, as the opposition in and out of Congress would
pounce on the Government, and try to make it a pretext for the President to
change his Cabinet, or produce a revolution,— But if Congress (the Deputie
throw out the whole matter, or so modify and temper the views of the Governme
as to render the measure a Militiary, (which is probable, and so I hope) then,
whole matter under consideration, is given up, and the field is open, a
a resolution may eminate from the Chambers, and be adopted by the Sen
giving full and clear powers to the Government, sufficient to enable Gover
to negotiate an close an arrangement. The Government then may be induce
to listen to me, or to my propositions, for peace and recognition, without th
responsibility, which would otherwise attach to them, and if we can ag
and the arrangement falls within the scope of the powers confered by Cong
on the Government, the matter can be closed without any further legisl
action here, and will, only require the ratification in due form of
authorities of Texas, to be binding on both Governments, altho the exch
may be delayed, until the pecuniary stipulations is fulfiled by Texa
say soon— These my Dear Sir, are some (not all) the difficulties, wh
surround us, and compel me to adopt a prudent, and cautious course
to risk all on the main question, at the first start, reserve a shot or
the locker, so that my first defeat shall not be exactly final— Th
I occupy and the course I am now preliminarily pursuing, is, to
the question stands, and confirm by further observation, how
right, and if I have to change my ground, or modify my
not— I think I hear you say (and also our friend Love
may be with you in New orleans) well you have
hard you never will get through, you're
no hope

my friends, and they are active in their steps, and I hope something will come out at last. I must judge and act for myself, with all the light and aid I can borrow, move cautiously I do my best. I have given you here only a sketch of the State of things, omitting the measures. I have already and am now hourly talking to secure my ends— time is essential, though not a moment shall be lost— you must be patient and await the result— in a week I can I think further report (I hope favorable) progres— But formidable obsticles, must be overcome, by conviction and persuation— I trust you will understand me, there are only two ways here.—

Decem.r 17th Tuesday 6 P.M.

Important business and the storm has detained me, and I am left, with only an hours time before the mail. I have glanced over the two sheets enclosed which must suffice— I would have copied them, but had no time— I am compelled to write when I can, and as I can, out of my own Hotel— You must therefore excuse all and see if you can make it out, and understand it— I have extended my remarks so much further than I expected— that I have to request that after perusal, you will send it to the Government, that is, the President, if you think best, or if not, the Secretary of State, I say this because I presume a careful perusal, will be all you want, and it is too long to copy, Therefore, please foward it, as above, with your remarks— I will address it to you, Covered to Col Love, so that should you be absent Col Love will copy it, or that part of it which he may deem important, and then send you the original, or place it in the hands of James Reed— no time for more—— I am yours very cordially

J. Treat

P.S. Col James Love

Dear Sir— If this should reach your hands Consider it as for you I cannot write much now for a thousand reasons, If Gen H is there, you and he will decide whether it, or its substance is worth transmitting— if Gen H is not there, you will act as you may think proper, always giving Gen H. the original, or placing it under cover to Reed & Co, James Reed, This will be enclosed to Dr James Ritchie— My last two letters to the President, are short, and do not contain so much detail— I am this moment informed, that the Government have received an express, informing them, that Matamoras has fallen to the federals, and Tampico threatened— my affairs have moved well to day

Truly & Ever

J Treat

Philidelphia 22d June 1839

Mr Hamilton To the President Negotiations into Mexico not to be resumed by U.S.

My Dear Sir!—

I deem it proper to apprize you, of my movements here to second Col Bee's movements in Mexico, which I consider for obvious reasons suspended not broken off, The truth is that the negotiation could not have been conducted in Mexico, but must from the troubled State of Mexico be transferred to the United States— with several provinces, of revolt, in a state Santa Anna could not set the example in his own capital of a recognition of the Independence of one which they are pleased to consider in a State of Rebellion.— On my arrival at the North I repaired to Washington and immediately commenced a series of operations to get the Government of the United States warmly enlisted in co-operating in effecting peace between Mexico and Texas.— The President gave Mr Ellis Special instructions and carried his courtesy so far, as to order the Frigate Constitution detained for Pensacola to take dispatches from

requesting Mr Pakenham to use his efforts to bring about a Treaty with Mexico

These dispatches earnestly recommending to Mr Pakenham the policy of his use his best efforts with Santa Anna, to consent to a recognition of Texas and Treaty of peace, were in consequence of my addressing to Mr Fox, a letter of which the enc is a copy, I also have sent you a copy of Mr Fox reply — Mr Poinsett, who is the decide and warm friend of Texas, has been industriously occupied in getting Martiney the M can Minister at Washington earnestly engaged in urging peace in his distracted and infatuated Country — I send you a copy of Mr Poinsetts letter to me disclosing wha Martiney has done — There is a Gentlemen in New York, a cordial friend of Texa named, Treat, who has been many years in Mexico is intimately acquainted with and his Santa Anna and corresponds with a close friend of the Mexican President, from whom he has received several letters lately, translations of which, I have seen, i which this person represents that he is amply empowered by Santa Anna, to conclu the secret articles of a pacification — This person has communicated with Col Bee, in Nov. in New Orleans, and I hope to induce Mr Treat, to go down to New Orleans, early next week, to see what can be done. — We may essentially aid Col Bee and the Negotiation may be transferred to Washington under the mediatio of the United States, you see now how affairs stand, I believe very little money can for the attainment of such an object, your administration may be illustrated by the recognition of France, England and Mexico, and a negotiatio of the five Million loan, and all this before the meeting of your Congress, and that next winter through the instrumentality of the Bank of the united States, you may have a better currency than United States now possesses — I have disclo in Mr Burnley's and my official letter the importance of changing the bond and the sinking funds basis, but we cannot negotiate them without we can obtain your concurrence on the sinking fund act, If you approve of the san basis & the you will be so kind as to indorse your approval on the transcript, and foward it by my son, directed to me, to the care of Palmers & Kellogs, Dent & Co London. — Without the recognition however, of Great Britain, we can have no hope of success, and this can only be obtained by getting that of France first, which for money we can accomplish. — We have pressed this point as a matter of diplomatic service, and your consideration and hope to obtain your Sanction — What New Country can win Empire and Independence without the use of Sinews of War, and the currency of peace, which money may well be called. — Let me however entreat you to dispatch my Son back to New Orleans with all imaginable haste, as Mr Burnley and myself cannot proce a step in the negotiation of the loan until we get your Sanction of the sinkin fund act, Hence it is infinitely important that we should receive it by the 1 August in London by the Great Western. — Mr Burnley sails on Tuesda the 25th in the Sailing Ship Gorrick, and I follow in the Steamer Liverpoo on the 6th July, I shall probably reach England first — God bless and prosper with esteem. Respectfully and truly your friend

J. Hamilton

His Excellency
Mr B Lamar

Mr Hamilton to Mr Fox — Relating to the benefits that would result from her mediation

Washington 30th May 1839.

Sir!

In Conformity to the wish you did me the honor to express, in our Conversation on =rday last, that I should furnish you with a Memorandum in writing of my vi in relation to the advantages which might result to Great Britain from e mediatorial offices of Her Britanic Majesty's Minister Mr Pa to England at Mexico, between that Government and the Republic of Tex from her private and unofficially) induces me to submit the following s Mediation with a candor and sincerity, I hope equal to the signal Services with which you received my verbal Communicatio the Republic of Tex

Mr Bee's appointment Minister to Mexico

Mr Bee's Departure

Concerning Mexico and our relations therewith & Mediatorial aid of certain Gentlemen

Extraordinary and Minister Plenipotentiary to Mexico, to treat with that Government for peace and Recognition. He sailed about the 1st May for Vera Cruz in Governments Vessel of the United States, and was probably some days since arrived off that Port.— He went however, beyond that of a passenger under no safe conduct of the flag of the U. S. but in some degree under that of the late Catholic Bishop of Texas, when he was a Mexican Province and who is now the Chaplain or Confessor of President Santa Anna, who urged the sending of an Envoy from Texas, the purpose in question, with an earnestness that induced many persons to suppose that it was one of the objects of the recent visit which that Prelate made to Texas, and that he acted in conformity to the wishes of Gen. Santa Anna.— Be this however as it may, whilst Col. Bee was detained in New Orleans, an English Gentlemen of the name of Forspale, Member of the highly respectable house of the Lazardi's of London (which House you are aware is extensively connected with the trade of Mexico, and holds intimate relations with its Government,) informed Col. Bee, that he had determined in conjunction with several other persons, having a deep interest in the peace and prosperity of Mexico, to write, not only to the Government of Mexico, to listen favorably to the overtures on the part of Texas for peace, but at the same time to address Mr Pakenham a letter earnestly soliciting his good offices immediately between the parties, as he believed the only means by which the Mexican Bond and Share holders would be paid, would be through the indemnity which Texas might be willing to give Mexico, for the disputed territory between the Rio de la Nueces and the Rio del Norte, where it is supposed the point of honor might be saved to Mexico, in treating for a general pacification and Recognition of the Independence of Texas. This at least, might be urged at the present, for such a Convention——

Gen. H. appointment Commiss. to Negotiate loan and relative matters

——You are aware that I have been appointed a Commissioner to negotiate a loan of about a Million Sterling for Texas.— I propose embarking in the Great Western for England on June, from the manner in which I have strengthened my hands in this Country, I have very little doubt of my success in yours.— If the Minister of Texas should conclude a Treaty with Mexico, authorizing the former to pay over the amount of the indemnity to the holders of the Mexican Securities in England, nothing could be more gratifying to me, than to promote this object by every means in my power, as it would add another wreath to the glory of the decendants of the Saxon race, that after beating Mexico, despoiling her of one of the finest of her provinces, that a handfull of men should come under an obligation to pay her debts on change in London.— Should however Mr Pakenham use his good offices in this matter, he will doubtless perceive the policy of keeping out of view of the ulterior appropriation of the money, until the main and substantive object of the treaty is secured.— That Great Britain has a direct interest in our immediate pacification between Texas and Mexico, and the ultimate independence of the former, is manifest, from two or three very obvious considerations.— In the first place Texas, early in the ensuing autumn, will have at Galveston a Squadron of one Steam Frigate, one Covette, two Brigs, three Schooners, ready to take post off Vera Cruz, and blockade that Port— by the procurer of adequate force.— This may give rise to a very serious difficulty, as if that your Government has not internationally recognized Texas, she may not feel disposed to respect any blockade of which she may even make an authenticate declaration. She may therefore force the blockade, Bloodshed may ensue, and which from the intimate relations of the Southern people, with the people of Texas, would throw the whole South into a ferment.— and we should find ourselves, in spite of our deep interest in the preservation of perpetual peace with Great Britain, in the very unnatural position of allies with the people on your Canada frontier, in their seemingly unplacable hostility to your Country.——

Why G. B has a direct interest in adjustment difficulties with Mexico tending influence

In the second place, your Government has an

between Texas in Mexico, because she has an incalculable interest in the trade of it destined to be an immese Consumer of the products and Manufactures of Great Britain. Her tariff is now only 12½ per Cent. ad valorem, whilst that of the U. S. averages nearly 5 per Cent. You perceive that the moment the Independence of Texas is recognized, she will not only supply her immeasurably increasing population with British goods, but likewise both the adjoining provinces of Mexico, and a large portion of the Valley of the Mississippi through the Navigation of the Trinity and Sabine Rivers — I will say nothing of the vast advantages, because they must strike you with great force. — If Great Britain having her supply of Cotton insured to her from the fertile plains of Texas (destined to be the greatest Cotton Country in the world) exempt from the caprice of your relation with the United States. — In the third place, without Mexico should first recognize the Independence of Texas, Great Britain, from the great delicacy of her situation, in reference to her own North American provinces, might feel great difficulty in recognizing Texas herself, which might have a tendency to throw her whole European Commerce in the hands of France. The moment Mexico recognizes, all difficulty is at once obviated, and Great Britain may herself recognize —

Fourthly and Lastly — The moment England is thus enabled to recognize Texas, She can exercise through the immence value of her Commerce with Texas, salutary influence in securing the Cordial Concurrence of Texas, in what Great Britain has ten times at heart, in the Supression of the Slave trade, which Texas has prohibited by a fundamental article in her Constitution. — I had the honor to state to your Excellency in Conversation the incalculable natural resources of Texas. — She possesses at least fifty Millions of Acres River bottom land, better adapted to the cultivation of upland Cotton than any other part of the habitable Globe, without interfering with the reservation of those immense prairies which are destined to afford pasturage and subsistance to flocks and herds, more numerous, than we read of in the grandest Scriptural antiquity. —

Her Mineral riches, not to Speak of the (indications presented in her Mountains of the precious Metals) are countless, when you take these things into Consideration and reflect that in all probability not a Spindle will be made for half a century within her limits you may well Conjecture what an impulse her Commerce will give to power towards, of your own Country. Besides these people are your own blood and Kindred, and Speak the same language in which Locke and Milton taught the Lessons Civil and political Science — I am aware from the fact of Texas not having been recognized by your Government, your Can make no official Communication on the Subject to Mr Pakenham, to which I have ventured to call your attention either Lord Palmerston, it will be for you to decide, whether in the Conjecture of the affairs both of Texas and Mexico, when the former is rising with a rapidity augmentating Strength to power and independence of the latter, sinking under the Strife and Contending faction, a private Suggestion to both, in favor of a timely mediation between the parties, may not be of some Value to your own Government. — I beg you to pardon the entire of this Communication and to be assured of the distinguished Consideration, with which I have the honor, Very Respectfully — Your Obedient Servant —

(Signed) J. Hamilton

His Excellency
H. S. Fox
Minister Plenipotentiary of
Her Britanic Majesty at
Washington

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Mr Fox to Mr Hamilton Concerning our relations with Mexico as relative matters.—

Washington 22d May 1839—

Dear Sir

I have been very glad to receive your interesting and valuable Memorandum dated from Baltimore, as well, as the two obliging Notes to myself which accompany it. I shall not have the communication, which I propose to address Mr Pakenham, in readiness early enough to be dispatched by the opportunities which you obliging offer, but shall in a short time, have myself a speedy and safe means of forwarding them to Mexico—— In writing to Lord Palmerston, I shall not fail to mention that you will seek an occasion of Confering personally with him, or other Members of the Government, upon the Subject of your Communication to me.— I believe it will be more proper, according to the customs of our service, that I should send the dispatch in the usual course, rather than by a private hand.

I remain Dear Sir, with much respect and regard, and the best wishes for your success— Yours faithfully

(signed) H. S. Fox

To)
Gen J. Hamilton
Philidelphia

Mr Poinsett to Mr Hamilton concerning Col Bee's Mission to Mexico

Washington 31st May 1839.

My Dear Sir

I did not receive your letter until late last night: and therefore could not reply to it by return of Mail as desired.— I received from our mutual friend Col Barnard Bee a letter requesting that I should furnish him with letters to my friends in Mexico and take an interest in the success of his Mission, the object of which he explained to me. The real interest I have felt for Texas induced me to decline giving him letters, as they could be of no service to him, and might have excited suspision among the most suspicious people on earth, both with regard to the views of this Government, and the part I might take individually in the recognition of Texian Independence. in an interview which I had subsequently with Mr Martiney, I found him very favourably impressed with the views of mutual advantage to Mexico and Texas, likely to result from the proposed arrangement.— In consequence Chiefly of his own reflections and enlightened views of the subject— He wrote a foregoing letter to Señor Gorortiza, which he communicated to me, urging the acceptance of the offers he understood Col Bee was authorized to make. ——

Mr Martiney Talking on the Subject of arrangement between Mexico & Texas

I have not time to detail to you the arguments adduced in the letter, but they were such as would occur to the friends of both Countries and especially of Mexico, and were ably and cogently urged, so much so, that I entertain great hopes, they will have produced beneficial results, and lead to the favorable termination of the Negotiation.—— I will take up the business you left me here next week, and dispatch it

(signed) J. R. Poinsett

To)
Gen J. Hamilton
Philidelphia

Mr Hamilton to the same— intimating that he would either see or write to Martiney the Mexican Minister privately before the 1st Augt that I would receive a freely unequivocal assurance that Mexico was prepared to accept the Mediation of the United States, I deemed this too important a matter for me in my negotiation to hesitate one moment about it, more especially as Caligny, did not until to day receive the permission of his Government to take his report in person to France, Hence he could not sail in the But goes with me in the Great Western, on

My Dear Sir

New York July 8th 1839

The day previous to my intending to sail in the Steamer Liverpool, I received an intimation from a respectable Quarter that if I would

as I am inclined to stick to him until we obtain the recognition of Louis P.

Mr Shaw has gone over to France to make arrangements for a Negotiation of our Loan

As Mr. Shaw has gone over to lay the preliminary basis for our negotiations, and from his knowledge as an old and experienced Banker, is acquainted with all the Capitalists in London and is thoroughly in our interest, I will loose nothing, or your Government, by the delay— Besides the London Stock Market is very much depressed at the present, and until the produce of another harvest, in England, is realized, which will not be until Septem we cannot expect any improvement.— We have such strong friends, and our loan is so well arranged and got up, that I have Confident hopes of Success by the 1st October, and especially if we are able to obtain the recognition of Louis Philipe, of which I entertain a doubt, with the application of the proper means— I hope you have received the dispat by my Son, with the Checks for 80.000$ Likewise the Post Notes by Mr. Treat, which he was instructed to leave with the Cashier of the Merchants Bank, subject to your order.

his hopes of success

Checks & Post Notes forwarded

I will write you again, in the course of a few days. In the mean time be assured of the Constant esteem, with which I Very Respectfully and faithfully, your friend. and Obt. Servant.

J. Hamilton

His Excellency
Mirabeau B Lamar
Prest. of the Republic of Texas

P.S. If Mr. Treat should as a private individual without any official sanction from your people to go to Vera Cruz, to see Santa Anna I would strongly recommend you to let him go, and ascertain the disposition of the Mexican Government

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Hamilton & Burnley to The President The Policy of Texas to make known a Treaty with Mexico or France to pay a sum to Santa Anna

(Private and Confidential)

Philidelphia June 29d 1839

My Dear Sir— We deem it a matter of the utmost importance to a successful Negotiation of a Treaty of Recognition and Peace with Mexico, or if this should fail to an effective prosecution of War, against that power, that an immediate recognition should be made of your Government by France, which would be followed by a similar Recognition by Great Britain in less than sixty days after.— Without money how in Mexico or in France Nothing can be done, because sometimes Members of the Ministry expect themselves a douceur and if they do not their underlings and friends expect it— Now at this I consider the Recognition by France is certain, yet for the want of these Douceur it may be delayed for Six Months effecting your action in Mexico, at home, and materially retarding the Negotiation of our loan ab

Concerning to pay a sum to Santa Anna

Concerning Treaty with France

In the uncertainty whether this Negotiation can be effected, weither we shall have friends for Secret Service, we can Come under no obligation to meet this extraordinary expenditure which is essentially of a diplomatic Character.— We have therefore certain sum for secret service

Bills of exchange taken out 50.000$ which we ask if need be your authority to use in Secret Service in procuring you instantaneous recognition by the first Continental power of Europe— Whatever over and above this measure may cost, we are willing to meet out of our Commission on a contingent contract payable when we shall have Negotiated our Loan— We will moreover take upon ourselves the burden of Subscribing the London Press, so as to have public opinion prepared by the time Lord Palmerston is ready to act.— If we do not use this money such is the custom of the French Court that we may be kept six months dancing attendance or Marshall Soult, when with fifty thousand dollars in hand, a recognition in six days— The question resolves itself into this, by England and Mexico, and the Negotiation of your Loan, expenditure, whether you will give these events— It may cost 100. thousand dollars and all the

fifty thousand dollars at two per cent

request that he may be dispatched by the return of the Steamer to New Orleans that he may reach New York in time for the Great Western, on the first August.— It is necessary that your answer should be specific and to the point— respectively submitted.— It is due to candor for us to say that before your reply can reach us in London, we shall probably have used the money in France and have reached England with the Recognition of Louis Philipe, we are therefore in regard to this expenditure, in all respects at your Mercy, if it is indispensible we shall make it a sure & positive unqualified success—

We remain Dear Sir, with the highest respect, your obt. Servant.

J. Hamilton
A. J. Burnley.

His Excellency
M. B. Lamar
Pres. Republic of Texas

P. S. The expenditure of the Secret Service fund, will of course be made with the sanction and entire knowledge and Concurrence of Gen Henderson.

Note the following portion of a Letter from Mr J. Grant, was by accident, overlooked in Recording this Letter, a portion of this Letter is Recorded on Page, commencing at page 923 to page 926—

"about ten days since, the Secretary of State broached the Subject to Mr Patenham, and stated in substance: that the paper, or exposition, had been translated, and placed before the Cabinet, where it had been duly Considered: that being an Ex-parte argument, and without containing any propositions, he would receive any further Communication, Containing the propositions, of the Government of Texas, and they would then, have the whole matter before them.— Mr P. assented, stated, that I was ready to present the propositions, I had been authorized to make to the Mexican Government, and was only waiting for an intimation, to that effect from the Secretary.——

After some further Conversation, Mr P. took leave, with a request from me Texas, that he would be glad to see me, ——— three or four Texas days, around, Consecutively, and having previous time met him, at a Public Ball, he invited me to call, and named the day, and hour.— I had an hour and a half uninterrupted Conversation with him.— He not only repeated all he had said to Mr P. But went much further.— as in the case of our previous interviews, this was not only Considered unofficial, but Confidential— He said, he had no objection to inform me, privately and individually, any thing, and every thing, I might wish to know, in relation to the object of my mission, Satisfied, that I was fully entitled to his personal Confidence, and would only use the remarks, he might make to me, in my Communication with the Executive, and then it must be understood as Confidential, and that no publicity should be given to any opinions he might utter, or information, he might Communicate to me, as above.— He then proceeded to state his own, individual opinion— (2) for Conclusion of this Letter See page 923 back

Dear Sir

New York June 29th 1839

Mr Hamilton forwarding Post Notes

This will be handed you by James Treat Esqr. who is the bear of a package containing the following bundles of post notes. B. U. S. — — —

No 810	to No 1209	inclusive 400	Notes of 100 $	40.000
" 1210	" 1609	do	do do do	40.000
" 1610	" 2009	"	" " "	40.000
" 2010	" 2409	"	" " "	40.000
" 2410	" 2809	"	" " "	40.000

Instructions relative to the same and general remarks

I will thank you after a simple indorsement to hold them subject to the written order of his Excellency Mirabeau B Lamar President of the Republic of Texas, or his Secretary of the Treasury. — Should a person however make his appearance at the Merchants Bank, with a written order addressed to my son Thomas Lynch Hamilton, from President Lamar, or the Secretary of the Treasury of the Republic of Texas, you can deliver the Notes to him, as I had at first designed to make the Post Notes payable to my sons order, and so advised President Lamar on reflection however, Mr. and myself thought it best to make them payable to yours, as some accident on the Boat, might either detain or prevent my son from reaching New Orleans. — I wish you would be particular in examining and verifying the order from the Texian Government to deliver the notes, see that it is addressed to the President or Cashier of the Merchants Bank, or to Thomas Lynch Hamilton. — You will likewise oblige me by saying to the Texian Agent, that it would be contrary to the understanding under which they were received, that they should be cashed at a discount, or hawked about the market in New Orleans, as they are lent exclusively for the purpose of purchasing supplies for their Indian Campaign; and can be issued at par for such purchases, and those selling provisions or munitions of War, will gladly receive them as a cash equivalent. — It would be well for you to say to the Texian Agent that he had better for safety keep the notes on deposite in the Merchants Bank, and merely take them out as he may disburse them.

Remain Dear Sir, with great respect Your obedient Servant.

J Hamilton.

To

R Copland Esqr.

Asst Cashier of the Merchants Bank New Orleans.

P.S. Be so kind as to address your reply, to the care of Messrs Meeks Ostervd & Maffald New York, who will foward your letter to England to me, by the Great Western, Sembarks in the Steamer Liverpool on 1st proximo.

Mr Hamilton To Gen Lamar Introducing Mr Treat and Concerning his intimacy with Santa Anna in Mexico

(Private & Confidential) New York June 28th 1839

My Dear Sir. — This will be handed you by the Gentleman to whom I referred in my letter to you by my son, — Mr. James Treat of this City. — whom I beg leave to introduce to your confidence & acquaintance — Mr. Treat has resided many years in Mexico and is intimately acquainted with most of the leading public men of that country, and with all speaks the language fluently. He is well acquainted with Santa Anna, and is the confidential friend of the Italian Gentleman, the agent of Santa Anna, who had an interview with Mr Bee at Vera Cruz and who is now in New Orleans, and invited Mr. Treat to join him there for the purpose of ascertaining what can be done to produce a speedy pacification between the two countries as it is due to Col Bee, Mr. Treat distinctly understands the instructions of Col Bee, and

after ya er Min

Concerning instructions to U.S.

ought to have whatever honor may arise from its successful issue.

The great point to be gained is that Mexico may concur to the mediation of the United States and that the negotiation may be transfered to Washington with as little delay as possible. Mr Treat or his friends in New Orleans, (Santa Anna's agent) will repair after a proper understanding with Col Bee on all points (under your instructions) to Vera Cruz if necessary, after all the facts are known between the contracting parties. — The great importance of having the fact officially known in London, that Mexico agrees to the mediation of the United States, and that the negotiation is transfered to Washington, cannot be overestimated in the business confided to my hands, now as great secrecy, vigilance and dispatch are necessary in this highly momentous affair. Col Bee cannot have a more efficient and faithful adjunct than Mr Treat, or a safer counsellor. His characters is most highly vouched by gentlemen who have my confidence, and their favorable opinions are entirely confirmed by my own observation. — Mr. Treat starts post, and will repair to New Orleans, and after seeing his friends, will repair to Texas, to see you if necessary. — He is specially advised, to keep me constantly informed of the progress of the negotiation, by the Steamers and Packets from New Orleans, or Vera Cruz wherever he may be, which will be of no small moment as he is an exceedingly punctual and able correspondent.

The fact of a Mediation should be known in London

Concerning Mr Treat & his policy

— Of course at this season of the year it cannot be expected, that Mr Treat would encounter the chances of disease and the loss and comfort of his home for nothing — As he has about $10.000 of the funded debt of Texas, I have agreed to advance him 1000 $ of it on Cost, and if you will give him a letter in duplicates, addressed to Mr Burnley & myself, authorizing him to draw on us in London as Commissioners for the balance, provided said balance does not exceed ten thousand dollars, I will engage to accept & pay it. You will perceive that Mr. Treat merely receives by this arrangement in advance, the payment a debt the Republic owes, and leaves upon a just estimate by yourself what further remuneration he may receive when the negotiation with Mexico is closed, and we negotiate the loan. I trust this measure will meet your approbation. ——

Concerning Mr Treat

Concerning Post Notes

Mr. Treat also takes ten hundred thousands dollars in Post notes, made payable to the order of R. Copeland, assistant Cashier of the Merchants Bank, and only to be delivered to such person as you or the Secretary of the Treasury of Texas, may authorize to receive them, they are in lieu of instructions Notes, and only designed to purchase supplies for our frontier defence, for which they are alone designed, for if they were evolved, you would have to submit to a loss of six or eight per cent.

I have the honor to remain my Dear Sir, with sincere esteem very respectfully Your. Obedient Servant

His Excellency. J. Hamilton

Mirabeau B Lamar

President of the Republic of Texas

P. S. I enclose you a copy of a letter to Mr. Copeland, assistant Cashier of the Merchants Bank, relative to the Post notes, as the Merchants Bank is in fact a branch of the B. U. S. and as we are under infinite obligations to the Bank U.S. for their aid in raising our recent advance, would it not be well for your self, to direct the Secretary of the Treasury, to open the ayes of the Republic with that institution ——

Mr Hamilton to Gen. Lamar concerning dispatches to be forwarded

Concerning the sinking fund project

Light of obtaining

dispatches of advancement loan

must be prepare for incursion from the Indians

Mr Todd authorized to draw for money

general nature of dispatches &c

My Dear Sir

New York August 1st 1839.

I have but a moment to spare before embarking this morning in the Great Western to drop you a line, to say I have left instructions for my dispatches to be forwarded by the next Steamer.— I hope sincerely that you have assented to the sinking fund project, and the other matters submitted for your consideration, as I deem them vital to my success.— I have lost nothing by staying, as I will be over as soon as Saligny, who went about ten days since in a French (Corvette) and as is the state of the money market in England, that before October I will not be able to do anything, after that I hope to obtain another handsome advance on my bonds or to place them in final investment.— I feel confident of success, but for the off the Secretary of War, asking the means for invading Texas. I would have obtained through my friends at Washington such demonstrations of a pacific character from Martinez, as would have greatly aided my negotiation.— Just as I had it on the anvil this unfortunate document came out.— I think from what Mr Poinsett tells me, you must be prepared for an incursion on the part of the Mexicans and Indians. The former will make one more struggle before they give up the country.— Let me intreat you, neither to invade or blockade until you hear from me, that I have succeeded in my loan— either measure would be fatal to my efforts.— I have authorized Mr. Todd, your Navy Agent, to draw on me in London for 10.000 £ to ship by every Vessel from London (which I hope will meet your approbation) after consulting with an English Naval officer of distinguished reputation, and of great experience on the Coast of Mexico, I will give you the details of a maritime expedition against Mexico, which will strike terror in that Government bring them to their senses, & astonish the world by its boldness and success, I have been concocting this scheme for the tremendous armyance of Mexico, with one of the wisest and best heads in this Country and will write you from London the moment I have felt the pulse of the Cabinets of France and England.— I will go over to the former, the moment I have seen my Bankers. Mr Stevenson my Naval friends, and Lord Palmerston.— I say to you if no unfortunate event occurs, the negotiation of France will be immediate— from the arrangements I have made. Mr. Pontois the late Minister of the U. S. is actively at work for us.— Let me beg of you to stand entirely on the defensive, until the Loan is Negotiated, at least get out all your vessels as soon as possible, and keep all quiet if possible at home.—

God bless you my dear Sir, and believe me the sincere esteem, with which I have the honor to be, your Obedient Servant.

J. Hamilton

The Excellency
Mirabeau B. Lamar

Mr Hamilton to Secy of State acknowledging Receipt of Commissioner and Senate & House Resolutions

New Orleans Jany 7th 1840

Sir

I do myself the honor of acknowledging the receipt of yours of the Ultimo, covering my Commissioner under the Secret resolutions of the Senate & House of Representatives, authorizing Negotiation for peace with Mexico I likewise acknowledge the secret instructions previously communicated to your Agents, which I shall claim for my own guidance my careful

For this new proof of the confidence of the Executive, tender to him cordial acknowledgements, with the assurance that my best employed to promote the peace, honor and prosperity of the

I pray you to accept assurances of the highest esteem.

I am Respectfully, Your obt. Servt.

Hon
David G. Burnet

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Mr Purnly to Mr Lamar

Congress adopts the amendments of the loan law

Concerning his continuing his Mission to Europe for the purpose of effecting the Loan

Louisville Kenty. Jany 30th 1841.

Dear Sir,

A week since, I received a letter from Gen. Hamilton, dated on the 5th of this month, from New Orleans, informing me that the Congress of Texas, had adopted the amendments to the loan law, which were thought necessary to promote the success of that important negotiation—and that it was your wish, that I should continue my efforts, in the character of Commissioner, to procure the money for Texas on Europe— I immediately replied to Gen. Hamilton, that I should hold myself ready to depart from New York, on any day he might be prepared to sail— & I am daily expecting a letter from him (which he promised to write to me) after his arrival in Charleston, fixing on some early day for our departure— I avail myself of the first Boat decending the Ohio, since the River broke up, to thank you for the Continuance of your confidence, after so many failures— It places me under renewed obligations to the Country, and to you personally— which I will repay with zeal and fidelity, at least, if not with success— unless things are in a worse condition than when I left Europe, I cannot doubt we must succeed— you may at least rely on my never quitting the

Concerning the loan and relative matters

Country, while I think there is the least Chance of accomplishing the objects of our Mission— I was sorry to learn from Gen. H. that my letter of the 3 Decemr from Baltimore, did not reach you before his departure from Austin— That letter will have informed you, that I probably failed

Concerning policy &c &c

to procure an advance of a Million in France, for want of the requisite authority in the Law to pledge the Bonds— and altho I now hope, from the improvement made in the law, that we shall be able to effect the more desirable object of Selling the Bonds— yet in the event of a disappointment in that particular, it is so desirable that Texas should have money without delay, and the procuring an advance, would so much hasten an facilitate a Sale, that I beg leave to renew to your Excellency, the suggestion, of having the power to pledge the bonds for an advance, added to the Law and our instructions— and if Congress shall have adjourned, to meet again in the Spring, I beg to call your attention to the matter then— for we may be detained in Europe, and find an advance the only practicable mode of raising money for you— For the same reasons, and others stated in my letter of 3rd Decr I also beg leave to call your attention to the suggestion, that Congress should vest you with the power to repeal all duties on french Wines, whenever, in your judgment the public interest would be promoted by it— The possibility of a war between Great Britian and the United States, which is now being talked about very seriously in Congress, in consequence of the difficulties about the main boundary question, may have the effect of driving us to the Continent as our only hope of raising money— and adds Strength to the other reasons for preparing for such an alternative— If these suggestions do not correspond with your own views of the true policy of Texas, I beg you will receive them as made by me from a strong desire to be prepared at all points, to attain Success, if it be at all attainable— Since I wrote you last, I have received letters from our most influential friends in London, saying that the amount of British Capital which would be employed in Commercial operations in Texas: provided we had a law of limited partnerships, is likely to be immediately so great, that they consider the adoption of such a law, of immence importance to Texas, and urge me to press it upon the notice of your Excellency. accordingly I beg to refer you to what I said on that Subject in my letter from Baltimore— Meeting with an acquaintance two weeks ago, on the eve of his departure for Orleans, at the moment of receiving the Pennsylvania Law of limited partnerships, and having time to write, I handed the copy to this acquaintance, who in

of Col. Love's & requested him to enclose it to Col Love from Orleans, with a re to him, that he would foward it to you— I hope you have received it— I have not rece the New York law, as I expected, or I would send it to you— My last letter from London are of the 16th of Decr— They speak of a considerable improvement in the d for american Stocks— and that considerable sales had been made— tho still at re reduced prices— They also speak of money matters getting easier— & express co fidence in our being able to do something for Texas in the Spring—

With sentiments of high respects and esteem, I have the honor to be your Excellency's Obt. Servant

A. J. Burnley

To

His Excellency

Mirabeau B. Lamar

Mr Hamilton to Secy of State enclosing a Letter directed to Lord Palmerston

Charleston Feby 25th 1840

Dear Sir— I have learnt by the public papers with sincere satisfaction of your appointment as Secretary of State, in the Cabinet of President Lamar— You have doubtless read the proceedings of the Congress of Texas in secret Session, connected with my Mission to England— I beg leave to enclose you a copy of the letter I have addres to Lord Palmerston on my arrival at this place— The letters which I received from Mr Pakenham, enclosed to your predecessor previous to my leaving New Orleans: That my negotiation will be ultimately successful and the mediation of Great Bri be accepted, I entertain very confident hopes, even if Mr. Great should not succee as though the Bondholders, the British Government will bring a very powerful influence to bear on Mexico— I presume you subscribe to the wisdom of the pacific policy recommended by the Executive and adopted by the congress of Tex in the proceedings in Secret Session on the 19th December last— I therefore can too strongly, solicit the exercise of your influence in the Cabinet, to prevent all hostile demonstration against Mexico either by land or by sea, until the result of my Mission shall be known— or until the loan shall have been nego —tied.— a false step would be fatal to this latter measure and be equally destru of all hope of the acceptance by Mexico of the proffered interposition of Engl

Hopes of Negotiating the Loan and Mexican affairs

The Policy Texas should adopt

If you will send me a commission to Treat for the Recognition of Belgium I will se the Belgian Minister in Paris, and arrange this matter with his

I beg you to present my cordial salutations to the President, and to be assured of the esteem, with which I am very Respectfully Your Obedient Servant—

Hon. Judge Sepscomb
Secy of State.

J Hamilton
Commr of the Republic of Texas.

P.S— I am barely waiting to hear from the Secretary of the Treas transmitting to me the authority to pledge the bonds, for an advance the loan, and some other powers to which I have invited his attentio to leave for New York, with the view of embarking for Europe to close, if my loan Negotiation— I have little doubt, if your Government pursu politic bearing towards France, that Louis Philipe will aid me immediately in the negotiation in question— I need not confidentially to you the expediency of maintaining the best relations with

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Mr Hamilton to Palmerston Concerning an interview on the subject of Recognizing the Independence of Texas. Indemnity to Mexico &c. & concerning the Mexican Bondholders

(Copy) Charleston So. Ca Feby 10th 1840

My Lord.— When I had the honor of holding an interview with you at your residence in Great Stanhope Street in September last, on which occasion I took the liberty of urging on you, such considerations as I thought of some value to enable you to make up your opinion, on the expediency of recognizing the Independence of Texas.— I informed you that I had little doubt that, for purposes of peace and a well ascertained boundary, Texas would be willing to pay an adequate indemnity to Mexico which, under her convention with the Mexican Bondholders in London in Septr 1837 would enure to the benefit of your citizens.— After this interview with your Lordship I saw several of the most respectable and influential of the Bondholders in England, and in consequence of an understanding with them, I was induced, on my recent visit to Texas, to obtain from the Congress, and the Executive Government of that Republic, a distinct expression of their willingness to assent to a convention providing for such a purpose. I enclose your Lordship, confidentially, a copy of a report of the Committees of foreign relations of both Houses of Congress, of which I ask your most careful and attentive perusal, together with certain Resolutions adopted by that body and approved by the President.— I moreover beg leave to advise you, in equal confidence, that I have been authorized to except the mediation of your Government, in case Mexico concurs in such a reference, and I am likewise appointed the agent to treat with the Mexican Bondholders, in the event of the Government of Mexico consenting that the indemnity should be paid over to her creditors in England.— The facts I have communicated to Mr Pakenham, and under date of the 13th of Decr he writes me that, whilst every public man of any intelligence or consideration, in the Country concurs in opinion, that immediate peace with Texas is an object greatly to be desired, yet such is the feebleness of the Government, and such the force of popular prejudice, that the executive wants the requisite firmness to bring this proposition forward.— He says, however, that the Government are willing to conclude a Truce for an indefinite period with Texas, which I have declined, without Mexico should except the mediation of your Government and transfer the Negotiation at once to London.— in which case I have signified to Mr Pakenham my willingness to consent to an Armistice until the 1st april 1841.— On the 3rd of Jany from New Orleans, I communicated this reply to Mr Pakenham— and am yet without his answer.— I now submit to your Lordship on the briefest possible terms, some facts with, which it may be of importance for you to know, as the commercial connections between great Britain and Mexico are certainly of no small moment to your people, to say nothing of the large public debt which Mexico owes and has long owed to your citizens.— It becomes therefore, a question of no inconsiderable interest to determine, whether policy does not dictate that your Government should take very active and urgent means to induce Mexico to listen to the Counsels of peace.— Her folly seems really to partake of the infatuation of madness.— With internal dissensions among her own people, who are nearly divided equally, that she should not seek with alacrity, to confine her young but gigantic neighbour, to a specific boundary, by treaty and stipulations and thus remove the constant means of affording aliment to the Federalist, presents a subject of no small wonder and surprise.— She partly looks confidently to our alliance with Texas, for the destruction of the present Central Government, which must be attended doubtless, by the ultimate Conquest of the whole Country by our race.— My exertions have been strenuous, & well calculated to prove

Concerning the Mediation of Great Britain & the Mexican Bondholders

Mexico willing to conclude a Truce for an indefinite Period

My consent on certain Conditions

highly important to G B. to use her influence in bringing about an amicable arrangement between Mexico & Texas

Federalist views for us

Government of Texas from listening to the overtures of the Federals.— Gen. the chief of this party in Mexico, visited Texas in November, and endeavoured induce, by every possible temptation of Independence and further conquest, th Executive of Texas to unite with them in an imediate invasion of the Country.— T overture was declined for the present, on account of the proffered mediation of yo Government, as Texas is resolved not to move, until all hopes of peace has been exha

Concerning the final result provided Mexico does not treat

The moment however, she raises the Federal banner, the whole country is revol -ionized, and in this event, with the Ports of Mexico blockaded by the Superior Naval force of Texas, what becomes of your Commerce and the claims of your Citizens?— I therefore in entire candor and sincerity, inform you that I believ if Mexico does not listen to terms by the first of June next, that a state of the will ensue in that Country which may be extremely prejudicial to the interes of your own.— I shall leave New York some time in April for England on my way to France, passing through London, I will do myself the honor of paying your Lordship my respects in person.— In the meantime, as not a moment is t be lost, I submit whether it might not be politic, that you should forthwith — Communicate to Mr Pakenham, that if Mexico does not Consent to your pr -ferred Mediation, the recognition of Texas can no longer be withheld.— I

General remarks relative to the policy of England and Mexico

that I mean to press this point upon your notice until after the adjournmen of Parliament; when, I feel satisfied, I shall present Considerations of suc manifest interest to England herself, that your Government will no longe withhold this act of justice from a people speaking your own language an living under your laws, and who are destined to be the best customers and fir allies you have on the Continent of America, if their good will is only cultivate by the usual Comity of international intercourse.— One hundred thousand o the Anglo Saxon race has been added to the population of Texas during th last Six months, and the tide of emigration is still rolling on with a ful and unchecked current.— Her Navy Consists of a Marine Steamer, 1 Corvett 2 Brigs and 3 Schooners, which will be ready to appear off Vera Cruz on the 1st of June next,— which however, it is the intention of the Government of Tex to keep in Port, that no act of hostility shall be perpetrated on Mexico until her ofinal decision shall be learnt, whether she accepts or not your proffered Media

I beg you to regard the Copies of the extract from the report and the resolutions as Strictly Confidential, intended only for your private use.—

I have the honor to remain, with distinguished Consideration an respect, your Lordship's most Obedient Servant.

(Signed) J Hamilton
Comm.r on the Part of the
Republic of Texas

The Rt Honble Viscount Palmerston
Minister for foreign affairs &c. &c.

Mr Hamilton to Gen Lamar recommending Mr Williams

Charleston March 24th 184

My Dear Sir,— I find that Mr Henry Williams a brother of ex Samuel Williams, has just arrived here from Baltimore, on his way Texas.— This gentleman has been a staunch friend of the Republic, to his judgment, skill and zeal, we partly owe the successful construc of the Vessels of war that were built at Baltimore.— Mr Williams

Mr Williams proposes suggesting to you, to allow one of the Brigs to go out to France a Letter of Marque, he proposes putting a cargo of Cotton on board of h -ving the if She is kept in fine order, and makes a Striking appearance propriety of Havre, She cannot fail to have a very beneficial effect on all sending out and my Negotiation, her freight will more than pay expenses of our Brigs and we may load her with the munitions of

to France and Militaire

making Certain purchases, and the benefit that will result from it &c &c

in a letter which accompanies this, had better be purchased in France where they may be procured for 30 per cent less than in the United States, besides such a purchase pending the Negotiation of our loan, cannot fail to have a very beneficial influence on our success.— I feel almost satisfied, that it will confirm the French Government in the disposition which they entertained last autumn; to advance us a Million out of their own Coffers — I refer you to my letter to the Secretary of the Treasury for all that I have found it necessary to say in relation to the loan and our prospects.— I will write you immediately on my arrival in France more fully on this Subject, as I proximately, I trust, approach its consummation.— I shall feel it my duty to write you on the political situation of Europe, more particularly as the destinies of Texas may be influenced by it.— I still hope for a pacification with Mexico, and that your administration may be illustrated by the establishment of peace and the public credit of your Country.— I have been waiting here for the last month for the despatches for which I wrote from New Orleans on the 7th of January to the Secretary of the Treasury to meet; for the papers Connected with the tariff, and the reduction of duties on articles of French Merchandize.— I cannot afford to wait here longer than a week or ten days more, as I must be in Paris before the adjournment of the Chamber of Deputies, as we may have to appeal to Legislative action for the aid France may be disposed to render us.— I have however written to Dr Starr to foward the papers with all possible dispatch, as they can follow me in the Great Western on the 9th May. I beg his Special and prompt attention to this request, which I deem essential to our Success

remarks concerning the Loan

general remarks Concerning Mexico and Texas and relative matters.—

With my best wishes, and the salutations of my great respect and esteem, I have the honor to remain, Your most Obt. Servt & Friend

S. Hamilton

His Excellency
Mirabeau B Lamar

P.S. If the Brig should go to France, be so good as to have her Consigned to Lewis Rogers & Co — — — —

London June 6th 1840

S Hamilton to Secy of State Requesting letters of credence to treat with Spain & Mexico

(Private)

Dear Sir.— As we shall have to go over to Brussels and Amsterdam to procure the necessary Combination to secure our loan, I would suggest that you send me Separate Letters of Credence to the King of Beligium and to the King of Holland to apply for the recognition of your independence, and to make a commercial treaty with both.— As I have received an intimation that I can accomplish both objects.— I hope by the Queen on the 1st July to tell you that we have a fair chance of doing something.— We are making friends and progress every day.— The rumor of the invasion of Texas, of course retards us; but I hope the Queen Steamer which will be here on the 16th Ultimo will dispel all these clouds, by her Mr Burnley and myself will make the Secretary of the Treasury an official report.— Until I hear something decisive as to the rumored invasion of Texas, I deem it politic not to apply for recognition to the British Government.

General remarks Concerning his Negotiations

I remain Dear Sir, with esteem, respectfully Your friend and Obt Servt,

(Signed) J Hamilton

Hon
Judge Sidney Smith

Gen Hamilton to Secy of State. Requesting letters Credences to treat with the King of the Netherlands

(Private)

London July 3rd 1840

My Dear Sir.— We wrote the Secretary of the Treasury by the Queen, of our financial progress.— I now write to urge you, to send me letters credence to treat with the King of the Netherlands, for recognition and treaty of Commerce, this may be essential to a part of our Loan in Holland.— Keep every thing quite at home, avoid if possible, invasions, Indian warfares and domestic commotion, and we will succeed in all matters before many weeks.—

With sincere esteem my Dear Sir, very respectfully Your Obt. Servant

Hon. Judge Lipscomb Secty of State:

(Signed) J Hamilton

J Hamilton to Secy of State Relating to the introduction of French goods

The Kingdom of the Netherlands

The Hague July 28th 1840.

Sir

I have the honor to acknowledge the receipt of your dispatch of the 4th May The suggestion which you transmitted to me, not to make any stipulations with the French Government, by which any Countenance should seem to be given to the introduction of French goods, with an ulterior view to their clandestine entre into the United States, in violation of their revenue laws, through the valley of the Mississippi.— I shall conform strictly to your instructions in this particular in which I recognise nothing but the delicacy and honor which have uniformly characterized the policy of the young Republic.—

Negotiations opened with the King of the Netherlands

Now will perceive that my letters written from the Hague.— I have opened a negotiation with the Government of the Netherlands for the recognition of the Republic of Texas— a preliminary measure, indispensible to the negotiation of our loan in Holland.— By the laws of this Kingdom, no foreign loan can be taken or contracted for, by any citizen of Holland, except with the consent of the King.— From the Bankers in Amsterdam, with whom I am so far in treaty as to have made them an offer of the whole loan of 5 Millions.— I was informed that without recognition, they could not entertain even a consideration of the subject, and that I must repair to the Hague immediately and see what could be done with the Govern.

Concerning the Loan

Relating to arguments used to influence upon the different Commercial Nations to acknowledge the Independence of Texas, and their effect

Under your general letter of instructions to obtain as far as practicable the recognition of the different commercial nations of Europe, I have prescribed a Memoir as the Diplomatic Commissioners of the Republic of Texas, setting forth the facts.— of the People of Texas having achieved their Independence— of its recognition by France and the United States and of the stability of the Government, and extent of the resources of the Country.— This has been very favorably received by the Minister of Foreign affairs, who has promised on the 4th of August, on his return to Texas, and to the Hague, to give me an answer on the subject.— If no adverse influence from the other powers of Europe is brought to bear on the Government of the Netherlands, I have very little doubt of my success.— But you know that the Dutch are a slow and cautious people, and take time to do even only affairs of the utmost moment, but even trifles.— The instant I complete my Diplomatic business here, I shall repair to Amsterdam and commence a systematic financial Campaign for the negotiation of the loan, if the Bankers there, can be satisfied of the stability of the Government of Texas, and the sufficiency of the security offered. Loan can be taken in five minutes, such is the vast surplus capital of this immensely opulent Country.— But unfortunately, little is known of Texas, and that little, to her disadvantage, false hood which emissaries of the Government of abolitionists have

Commencing a financial campaign in Amsterdam

False impressions against Texas

found its way into the leading journals of the Country— But, I have taken means to apply a corrective against these misrepresentations through the kindness of my friend in Amsterdam. I have been introduced to the Editor of the leading Commercial and political paper in that city— The Handelsblad.— He is an advocate of distinguished ability at the Dutch bar, and one of the most eloquent and powerful writers in Holland and what renders my intercourse with him particularly agreeable and effective, is the fact of his speaking and reading English, almost with as much facility and accuracy as he does his vernacular tongue.— I have satisfied this gentleman so entirely of the injustice which has been done to Texas, that he has promised when I am all ready, to open the batteries of his press in her defence, although he had the good sense to say that it was a question not of morals, but of policy for Holland to consider.— For how we got possession of the Country, was not their business, it was sufficient for them to know that we were in possession of it— de facto were capable of holding it, and from our being a civilized and enterprising people, would prove valuable Customers to them.— I state this fact— to show you what an important ally I have made, and how much his intelligence is superior to the miserable cant and fanaticism of even those who call themselves English Statesmen.— This gentleman will commence in a day or two to enlighten his readers on the subject of American Credits, and disabuse the public of the thousands Slanders of the London Times on this topic.— This will be a good preface for the introduction of the theme of Texan resources, which will come on in due time.— Mr Burnley is in Paris— He will not attempt any action on the French Government to induce them to redeem the pledge of Marshal Soult, until I reach the French Capital, whilst he will employ himself, in the mean time, in sounding the Bankers and in diffusing correct information respecting Texas.— But— thanks to the persevering and enlightened exertions of Mr. Saligny there exists a better tone of feeling towards Texas in France than in any other Country in Europe.— Should I fail entirely in Holland, I will then repair to England, and see what is to be done through the co-operation of the Mexican Bondholders, and then to France as our last resort, because I am sure the aid of that Government could not be procured, probably, without conceding some Commercial advantages which might might exert an injurious influence on our Negotiations with other nations.— But in any event, I cannot conceal from you that we have great difficulties to contend with, which have been continued without an intermission even since we left the United States.— First, we departed in the face of the universally accredited rumor, that Arista was about to invade and overrun Texas— burn your Capital, and destroy your army— Then there came the report of your having murdered 40 Comanche Chiefs in cold blood, whom you had invited to a friendly council, to treat for peace and the surrender of prisoners— next came the Presidents Proclamation ordering all free persons of color out of the territorial limits of Texas, which has been put down on this side of the water as a barbarity equal to that of the revocation of the Edict of Nantes— and lastly, the Great Western brought the intelligence of the still further depreciation of your Treasury Notes.— against these adverse currents, we have been endeavouring to make head we have stopped like our Boatsmen on our Western Rivers— in some bend where the Stream seemed to be less strong— taken breath for awhile— & still have hooked and jained, and gone on.— I think I may now say we are making steady progress towards the final consummation of our— Ah— I will not exactly say when, for I should rather t—

Means taken to suppress the false impressions against Texas

Mr Burnley in Paris, and his actions in diffusing Correct information in relation to Texas, touching the Bankers &c

Relating to the many difficulties to contend with, its attaining the different negotiations, the effect of Rejoicings Circulated about Texas

The success of Negotiation depending on our Policy at home, Certain measures failed

by surprise, by an early negotiation, than to disappoint him by holding out false hopes— But our success depends entirely on your measures at home— If you should join the Federalists— unite in an invasion of Mexico— or blockade Matamoras or Vera Cruz, we could not borrow one dollar for you— not for love or money— Capitalists are reluctant even to loan to old Governments whose credit is well established when at war, how little would they be disposed to lend to a Repu but of yesterday— in no favor with the monarchies of Europe— and whose own cu rency is depreciated to a point so low, as to show the want of confidence at hom

Patience required

Let me then, my good Sir, conjure you to use your influence with every branch of your Government to induce them to wait patiently the result of our Negotiation If we do not succeed by the meeting of Congress— it will be time then for the assembled wisdom of the country to determine what is to be done.— If we do no

Last alternative

succeed— I shall be very much inclined— as the Lawyers say in collecting a de to make the 5 Millions out of Mexico herself, and join personally in the spor But— if all goes on smoothly in Texas— you do nothing violently to shock European prejudices on the tender subjects of the Indian and Negro races— subjects whic they cannot understand on this side of the Water, I feel an absolute, abiding, an unfaltering confidence in success. But a premature invasion of Mexico wou dash all our well digested schemes to the ground— and subvert in an hour my incessant and irksome labors for the last eighteen Months.— I have had one

Interview with Lord Palmerston

interview with Lord Palmerston— in which was private, and unofficial he informed me that after the adjournment of Parliament, and I had concluded my business with the different Governments on the Continent, if I would de return to England, he would enter upon the question of the recognition of

Concerning Recognition of Texas by England & France

Texas, and the formation of a commercial Treaty with her.— This looks well. in spite of O'Connells Villainy, and makes me particularly anxious not t Commit myself with the French until I have ascertained definitely the view and determinations of the British Government— for if Holland and England both recognize, and Texas succeeds, our Loan will go like a Locomotive ove a Trail— I can pledge you nothing however, but my unabated, untiring and Zealous exertions— after the loan is obtained how to make it lastingly benefic to the Government involves considerations of great moment, requiring a sche of finance well considered and matured— On this subject I will write th Secretary of the Treasury by the British Queen.— In the mean time presen my friendly respects to this gentleman, as well as to the other officers of t Cabinet; say to Dr. Archer that I have received his dispatches, and wi write him fully by the Queen, which sails on the 1st September— I write President Lamar a private letter which accompanies this dispatch.——

Relating to Negotiations with Holland Belgium and Netherlands

You will perceive that I propose anticipating my regular powers in my Negotiations with Holland that no jealousy may be felt by the Governmen of the Netherlands, That you should have given me power to treat with Belgium first.— I have forborne to go to Belgium until I have conclude my negotiation here.— as we have very little to expect from a treaty with that Country— and much to gain from a treaty with this.— I send out therefo a transcript which you will find enclosed, of two Commissions which you will find enclosed, which I will thank you to have carefully engr verbatim et literatim and transmitted to me, after attaching your signature and Seal of office to it, as some difficulty may arise to t final signature of the Treaty until their return, altho we shall benefit of immediate recognition if the King of the Netherla to treat.—— I think it highly probable from what has pass the Russian Minister and myself (in whom I found an

Concerning Recognition by Russia

that I will add the Recognition of Russia acknowledgem

Concerning commissions to treat with any Minister

If you think proper, according to the within form of a commission to send me a separate and Specific one to treat with any Minister the Emperor may depute to Conduct the Negotiation.— I have little doubt of success, which will be bringing a stronger power to bear on England.— Do not however, make it my duty to repair to St Petersberg as it would be utterly incompatible with my financial Negotiations to leave the Sphere of action. For this reason, notwithstanding your judicious suggestions, it will be out of the question, to think of my visiting Madrid in relation to the Cuba trade, if the miserably distracted State of that once powerful monarchy did not forbid all hope of successful Negotiation with her Government at present.— For in the times of revolution She seems to be verging towards a dissolution. But if I succeed this season in all my important Missions for you, I hope to go to Madrid next Summer under full powers to Conclude successfully such a Negotiation.— To ensure a prompt and safe transit of your return dispatch to this letter, covering the several Commissions for which I have written— be so good as to enclose your dispatch for me, under an envelope directed to Messrs Heckscher & Coster New York with a request to those Gentlemen to foward it to me at London. But you should take care to give the proper instructions to the Collector at Galveston and Consul at New Orleans, that your letter to Messrs. H & Co covering my dispatch shall be carefully Mailed at New Orleans.

I have the honor to be, Sir, Your Obedient Servant

A. Hamilton Jr

The Hon
A. S. Sipscomb
Secretary of State

P. S. Should Judge Sipscomb have left the Department of State, he is requested to Sign the Commissions to treat with the Government of the Netherlands and Belgium, the separate commission to treat with the Netherlands nunc protunc as they must be dated the 18th April 1840. the date of the first commission,— as they are merely letters of Diplomatic Credence the President need not sign them.—

Mr Hamilton to Secy of State Relating to the Treaty with Holland

The Hague Septr 1st 1840

My Dear Sir—

I had hoped by this time, to have advised you that I had at last signed a Treaty with Holland, but altho the project of the same has been laid before the King, yet the Minister of Foreign affaires informs me that in consequence of his Majesty's occupations from an important meeting of the States Generals at this place, it will be impossible for him to decide on the provisions of the treaty for ten or twelve days,— I have therefore as the treaty has been offered by me, embraced these 12 days to go to Belgium and procure a recognition there.— I am loosing no time from the Loan, as from the money of a European War, all large financial operations are Suspended for the present.— But as the most authentic accounts all concur in representing that the difficulties between France and the four powers will be compromised.— I have no doubt by the time I procure the recognition in question the war panic will have Subsided and Mr Burnley, and Myself will be able to bring the Loan forward advantageously.— I will write however the Secretary of the Treasury from Brussels on this Subject.— But from the State of the money market, the State of Europe, the relations of your own Country with England

Belgium

Concerning the Loan

General Remarks & the object

[illegible] condition of your Currency &c

rumors of your having joined the Federalists in offensive measures agau
Relating to its Mexico.— There has not been a moment when the loan could have been broug.
Recognition of forward except with a positive prejudice.— I hope with the recognition of Belgi
Belgium and the Netherlands to procure that of England on my return, as Lord Palmers.
Netherlands & has promised to take the subject up.— If I fail I will instantly repair to France
England & make with that Government the best bargain under my instructions I can.—
its influence Mr Theirs has been so much occupied, as well as the King that he could not ha
considered our affairs if I had gone there.— In the mean time, depend upon it
Interest of the Republic commands my unceasing and devoted attention.—
With my most respectful salutations to the President.— I remain Dear Sir,
with sincere esteem, Very respectfully Your Obedient Servt.
J Hamilton
The Hon
A. J. Lipscomb
Secty of State.

P.S. Pray say to Mr. Saligny that I will write him on the 12th Septr by the
Policy of Great Western,— I beg and intreat you to say to the President that our
Texas to Success depends, on his keeping his hands off the Mexicans, until he hears
ensure success from us definitely from London— I will write him the moment Lord Palmerston
answers my dispatch which I shall hand it the instant I reach London.—

Mr Hamilton to Secy of State

Brussels Belgium Septr 10th 1836

Sir.

Relating to Treaty with the Netherlands

I have had the honor to receive your dispatch of the 9th July.— addressed to my Colleague and Myself.— Since my last respects I have so far concluded my treaty with the Government of the King of the Netherlands to leave left the project of the treaty in the hands of the King.— I am promised a conclusion of my Negotiation on the 15th Inst. for which purpose, I shall leave this for the Hague tomorrow.— I beg leave to report that I have been favorably received by the Government of the King of Belgium, and that Texas has been in point of fact recognized by the Minister of foreign affairs having authorized the Minister at the Court of St James at London to conclude a treaty with me on the basis of perfect reciprocity.—

Progress in Belgium

Negotiation in England

I shall repair to London on the 20th for the purpose of opening this Negotiation, which cannot fail to have a powerful influence on the Government of Great Britain.— Indeed I have every hope and prospect of obtaining the early recognition of England, whether Mr Treat succeeds in his Mission or not, as the difficulties in Holland will be removed by the recognition of that Government.— I think that in Oct Mr Burnly and Myself may bring the Loan forward under favorable auspices.— This must however depend on the question of War in Europe and the continuation of pacific advices from Texas, in regard your relations with Mexico.— If you neither invade or are invaded, a the difficulty between England and France is adjusted (which is also probable), we think will either negotiate the whole loan or obtain an adva on the Bonds.— On my arrival in England and by the Steamer of the 1 October I will give you a full report of all my proceedings and a sket of our plans for consumating our object; I mean the financial pa of it with the least possible delay.— There has not been one move which if we had failed in Holland or England, in which we cou hoped for success in France, from the entire absorption of the of the Government in the affairs of the East since the adjou the Chamber of Deputies.— But in the event of our in Holland and England, we shall retain with this Governm[illegible] Bel[illegible]

Loan Relating

Remarks of Policy

Concerning the

inevitably give us the money.— But this must be a last resort, as our success could only be purchased by the concession of Commercial advantage which only ought to be accorded in the event of England's refusing to recognize.— I perceive with the highest satisfaction that the President still adheres to the policy of taking no part in the factions and internal commotions in Mexico.— The adherence to this policy for a short time longer must place the means in our hands of commanding success.—

President's Course favorable

I beg Present my respectful salutations to him, and be assured Dear Sir of the high esteem, with which I am Respectfully Your Obt Servt

Hon. A S Upscomb
Secry of State.

J Hamilton

Mr Hamilton to Secy of State Relating to Recognition of England & its influence on Mexico & the negotiation of Loan Relative remarks.

London Octr 3rd 1840

(Confidential)

Dear Sir.— Lord Palmerston's constant occupation on the Eastern question, since my arrival in London on 29th September, has not allowed him yet sufficient time to have an interview with me.— But I have strong belief that England will recognize and that our treaty will be the means of promptly securing the pacification between Mexico and Texas, and a speedy Negotiation of our Loan.— The auspices are very bright— if not obscured by a war in Europe, and no invasion or hostile aggression is made by Texas on Mexico.— War between the two, would arrest my Negotiations with England, and suspends all further hope of effecting our loan.— As I know the President much prefers peace, and the establishment of your public Credit, to a war of acquisition, let me earnestly hope, until you hear definitively from us by Mr. Burnley in person (who will go out the moment we obtain a Contract for our Loan, in whole or in part— or an advance on our bonds— you will keep quiet.— I hope by the next packet to give you interesting accounts of my London negotiations— which I think, if no unauspicious event occurs may be made eminently conducive to our financial success.— Pray make my most respectful and cordial salutations to the President, I remain Dear Sir, with sincere esteem, Very respectfully and faithfully your Obedient Servant.—

Hon Abner S Upscomb.—

J Hamilton

Mr Hamilton to Secy of State Netherlands acknowledges our Indpdce

London Octr 3rd 1840

Sir

Since my last letter to you, I have the honor to report my having concluded and signed a treaty with the Government of the Netherlands recognizing the Independence of Texas— on the 18th Ult.— This convention is founded on the basis of the most perfect reciprocity, and is calculated most beneficially, to promote the freedom of trade in all respects.—

Progress in Belgium

I am happy likewise to add, that I am now treating with the Minister of the King of Belgium at the Court of St James— which Government has authorized its Minister here to open the negotiation at this place—

Interview with Lords Palmerston Prospects

I shall in the course of a few days, have an interview with Lord Palmerston and entertain a sanguine hope of procuring likewise the valuable and important recognition of the Government of Great Britain. Whatever treaties I conclude shall be sent home for ratification by Mr Burnley.— Refering you to our letter to the Secretary of the Treasury for advices in relation to our financial negotiation, I have the honor to remain Sir, with great esteem, Very Respectfully Yr. Obt Servt

The Hon.

Abner S Upscomb

J Hamilton

Mr Hamilton to Secy of State Relating to an interview with Lord Palmerston Prospects of Recognition Relating to the Loan— The Policy of Texas

Sir!

London Octr 19th 1840

Since the last dispatch which I had the honor to address to you.— I have pleasure to inform you that notwithstanding Lord Palmerston unceasing occupat on the eastern question.— he has given me an interview and most favorable rec

I submitted to him the project of a treaty between England and Texas, which has promised me to lay before the Cabinet of Ministers, and promptly give me a answer. I think the prospect most auspicious which will ensure promptly an financial negotiation.— In this operation we are strengthening ourselves daily The moment the war panic subsides here, which will be the case in ten days, a fortnight, (for we shall have no war,) I have no doubt of our doing something decisive with our Loan.— In the mean time, let me entreat you, to suggest- most respectfully to the President- that no blockade of the Ports of Texas, or any hostile movements against Mexico, until the Government hear definitively from either Mr. Burnley or myself— It would be fatal to our Negotiation.— Pray say to the Secretary of the Treasury, that I will write him on the 1st November by the Queen.— That a National Bank on the plan of the first B. U. S. is indispensible to the public credit of Texas, that I will send him the project of the same, modified by one of the best heads in this country.— I hope the Government will go zealously in favor of such an institution.—

With our most respectful salutations to the President. I remain Dear Sir, with the greatest esteem, Very respectfully Your. Obt. Servt.

J. Hamilton

The Hon.
Abner. S. Lipscomb.
Secty of State

Mr Hamilton to Secy of State Conclusion of a Treaty with Belgium Progress in G Britain Interviews with Lord Palmerston his assurances

Sir!

London November 1st 1840

Since I last had the honor to address you, I beg leave to report that I have concluded with the Belgian Government the project of a treaty, which I shall leave this for Brussels on the 10th Inst- to sign and execute.— It has been concluded on the basis of the most perfect reciprocity, and I hope will in all respects be satisfactory to the Government of Texas.— I have likewise the happiness to report that after repeated interviews with Lord Palmerston he has at last called upon me to submit the project of a treaty betwe Texas and Great Britain.— Which I have accordingly done, and which is now before the Cabinet, for their decision. The Treaty Comprehends the mediation of England for an immediate pacification between Texas and Mexico.— Lord Palmerston has promised in the course of the present week to bring the project before the Cabinet.— He assures me that Lord Melbourne and Lord John Russel are decidedly in favor of recognizi provided we can agree on the terms of the Treaty, and I am quite sur of Lord Palmerston's own favorable disposition.— Indeed during the int anxiety and constant occupations, which the Eastern Question must h occasioned, he has given me frequent interviews, and afforded me thos cordial facilities to get my business before Her Majesty's Government.—

The point of success which I have reached, has surprised me, more slow and gradual that progress may have been.— Considering the pos interest I have had offered to me. I cannot but attribute much of success, to the firmness with which Lord Palmerston has espoused a public question, environed with great difficulty from the public feeling in Great Britain of a large and most influe on the Slave question.— I have likewise succeeded in Mexican Bond holders, who have with them

Concerning the Mexican Bond Holders

I hope therefore by the Great

Concerning a credit on our bonds

or treaties for ratification.— Mr. Burnley and myself have a prospect of doing something in relation to a credit on our bonds, which if he accomplishes, he will leave in the Great Western on the 7th I will remain to complete if possible the financial negotiation— The recognition of England renders the Negotiation in question almost Certain the moment the prospect of a European War ceases, and no War or disaster occurs in your relations with Mexico.— I have only a moment to spare you of the great esteem, with which I am very respectfully your obedient Servant

J Hamilton

Hon Abner S. Lipscomb
Sec'y of State.

Legation of Texas
Washington August 21st 1840

Hon.
Abner S Lipscomb
Secretary of State, of the Republic of Texas.

N. Amory to Sec'y of State Concerning a communication from Agent on Indian affairs about Indians

Sir.— Since Col. Bee's departure on the 15th Inst, another long communication from our Secret informant in Mexico has been received Copy of which I now enclose.— That portion in relation to the United States Indians, I shall make known in a private manner to Mr Poinsett Secretary of War of the United States, and at the same time call his attention to the queries remaining unanswered, addressed to him in april last by Gen Dunlap.— The subject of Indian relations between the two Governments is one, I am aware that should be approached with delicacy and caution, as intimated in the instructions of the Hon. Secretary of State of 30th May 1839, for fear of provoking an untimely discussion as to the obligation of the United States to Texas in regard to this matter.— In no communication from the Government of Texas, to the resident Minister here, do I find stated the plain and positive grounds for the position assumed, that the Treaty of 1831 between Mexico and the United States as mutually binding on Texas and the latter Government;— altho Judge Burnet then Secretary of State, in a dispatch to General Dunlap Minister here, of 30th May 1839 (at the time when the expulsion of the Cherokees and other tribes had been decided upon holds the following language.—

Treating of Indian relations and Concerning the Treaty between the U. States and Mexico

"The President conceives that the Government of the United States has frankly and justly acknowledged the right of Texas to the benefit to the benefit of that Treaty, especially in reference to the 33 Article."—

The Presidents opinion thus avowed, I conclude to be founded upon, the following announcement of the President of the United States. (Gen Jackson) as expressed in a Note from Mr. Forsyth to Messrs. Wharton and Hunt under date of March 7th 1837.

The President U.S Concerning the Flags of U.S & Texas—

"The President considers the Texan Flag as entitled to all the privileges, stipulated for the Mexican Flag, in the Treaty between the United States and Mexico, and the United States will claim for their Flag all the benefits of the treaty in the Texan Ports, until some other arrangement shall be made between the two Governments."—

Judge Webb Instructions to Gen Dunlap about Indians

And Judge Webb then Secretary of State in his instructions to Gen. Dunlap of 13th March 1839, on the same Subject Speaks as follows.—

"In your intercourse with the Government of the United States upon subjects connected with our relations with that Government, you will upon all proper occasions respectfully urge the necessity of the most rigid observance on the part of both, of the 33rd article of the treaty entered into between the United States and Mexico on the 5th april 1831."

Mr Forsyth's admissions concerning Indian Relations

And on the part of the United States, I find the following admission by Mr. Secretary of State, in a note to Mr. Jones Minister of Texas under date of 3rd Dec 1838.— "A copy of your note has by direction of the President been transmitted to "Secretary of War, who being Charged with the Superintendence of Indian affairs, to "adopt such measures as may appear necessary for the fulfilment of the obligations of "the United States under the Treaty refered to in your Note".— and again another assent to the existence of the Treaty as applied between the Government of the United States and Texas, is given in a note of Mr Poinsett Secretary of War, of the 18th July 1839, in answer to Mr Forsyth's note above alluded to as follows.— "The Texan "Government may rely upon every exertion being made on our part to fulfil our Treaty "stipulations in this particular".— (which I interpret to refer to Indian relations).

Mr Hunt to Secy of State

Mr Forsyth's admissions expressed by Mr Forsyth concerning Treaty with Texas—

But I find in a communication from Mr. Hunt to the Secretary of State of Texas Despatch No 34. of 23d June 1838, Speaking of the views of the United States as expressed by Mr. Forsyth, about forming a Treaty with Texas, the following— Viz: "He appeared to be under the impression from information he had received from Mr La Branche, that Texas was unwilling to admit, that the old Treaty was "binding upon her.— He said he had written to Mr La. Branche for the purpose "of being more definitely informed upon this head".— And again I find that the Secretary of State of the United States, Feby. 21st 1838 encloses to the Minister of Texas here, a circular from the Treasury Department of the United States, from which I extract the following.— "Sir I have to communicate for your govern "that by information received from the Department of States, it appears that "the 5th & 6th articles of the Treaty with Mexico, are held to be obligatory on "Republic of Texas".— But I find nothing in the Archives of the Legation Showing how that arrangement was made.— Thus I am at a loss for accurate information on these, and many other points, for want of the correspondence between the Government of the United States through the resident Ministers Texas, and the Government of Texas, no copies of that correspondence having been furnished the Legation here.— The importance and indeed absolute necessity that the representation of our Republic near this Government should be in possession of all which has transpired at home between the State Department, and the Minister from the United States, will be apparent to you from the single circumstance, that already upon the question of relevancy of the Treaty of Mexico to Texas, a conflict of opinion seems to exist between the Secretary of State of Texas in his communication to Mr. La-che and Messrs Hunt and Jones in theirs to this Government here.— We can advisedly enter upon, or discuss any subject with the Government here, in relation to our public interest, when that subject has been made a topic correspondence in Texas, without having every thing in relation to the matter before us.— We can reiterate the views more in extenso as they have been adv at home, and for the sake of consistency in all our public acts.— I would most respectfully request, that the same Course may be pursued in relation this legation which is so common and usual with those of other distant Governments towards their representatives, and that we may be provi with all that has been done or said upon every question, between this our own Government.—

Remarks of Mr Amory

Concerning Indians John Brown—

The Indian John Brown mentioned private correspondence from Mexico (I am led to believe on enq the famous Cherokee Chief opposed to Ross— The latter left he return home yesterday, a friend of mine Mr Howard P. him, and he has promised to advise me of any movemen while on his visit to that Nation, in any re-

Commissioners of Mexico to U. S—

of Texas.— The Commissioners appoi Citizens of the United States, as alt. d. not

verdes Col. Bee, they are not clothed with any power beyond the mere settlement of these claims, and are not prominent men in Mexico.— Mr Forsyth says, in answer in to Col Bee's request, that in the event of Mexico's sending a Minister to the United States, he will get acquainted with him and if possible, dispose him to maintain a friendly intercourse here, touching the interest of Texas and Mexico.— That Mexico will not probably send a Minister to the United States at present.— If the Secretary of the Treasury will send a Draft on the Commissioners for my semi-annual Salary and for the amount of Contingencies of Legation, deducting amount of Bill of Stationary 124 the whole perhaps can be arranged

Respectfully your Obt. Servant.
N. Amory.—

Legation of Texas
Washington 25th August 1840

Hon.
Abner S Lipscomb
Secretary of State of the Republic of Texas.—

A Amory to Secy of State of Texas— introducing himself to Secy of State of U.S enquiry about boundary Comrs making certain discoveries on Maps.—

Sir— I called at the State Department this morning and introduced myself to the recently appointed Chief Clerk Mr. I S Martin, who immediately apprised me that Mr Forsyth the Secretary of State had left the City a few hours before upon a journey, and that he was acting as Secretary of State:— My principal object of the visit, was to gain some information, in relation to the operations of the Commissioners employed to mark the boundary, between Texas and the United States.— Mr Martin told me however, that they had not made a report of their proceedings, the detail of which he did not appear to be well acquainted with.— I ascertained however, in the course of conversation, that Mellish's map published in Philidelphia 1st Jan. 1818, refered to in the Treaty of limits, was in possession of the Department, this I was allowed to inspect for my own satisfaction, and I found the Neches and Sabine here laid down by their proper names as now called, and in the same manner and relative position as in other and more recent Maps.— thus forever quieting the question of Claim of the United States, to the Neches as the Sabine, named in that Treaty.— I next called at the War Department— Obtained an interview with Mr. Poinsett the Secretary of War, and exhibited to him that part of the Mexican informants letter, which related to the removal of Certain Indians. (the letter refered to is the same I forwarded with dispatch N° 56. 21st Inst) Mr. Poinsett took a copy of the Secretary of War, almonte's official Note to the Indian.— promising me to communicate it with all possible dispatch to the Commanding officer on the Northwest frontier of the United States, at the same time enjoining upon him the importance of increased vigilance, and ordering him promptly to interfere and prevent the Indians making the proposed removal, should he discover they were preparing to do it.— This arrangement between Mexico and the Indians, he coincided fully with me, in believing could not be trusted as a pacific measure, but one fraught with danger to Texas and the United States, particularly taking into view the intercepted Correspondence of the Mexican Government with the Indians as communicated by Gen. Dunlap to Mr. Forsyth, in a Note of 29th June 1839. Showing the exertions making by Mexico to engage American Indian as allies in the war with Texas

(Concerning) an interview with Mr Poinsett Secy of War, about Indians— His answer & assurances

I next alluded to the queries submitted by Gen Dunlap under date of April 16th 1840 in regard to Indian relations, remaining unanswered— to which Mr Poinsett observed that he had sent an answer to those qu

(Concerning) queries submitted by Gen Dunlap

to the Secy of State of U.S.

to Mr Forsyth Secretary of State, as the State Department was the legitimate Channel of Communication between the Representatives of foreign Governmen and this Government, and had supposed the answer had been transmitted by t Secretary of State to the Representative of Texas, until informed by Col Bee tha such was not the case— He then desired me to see the Chief Clerk of the State Department and ascertain if the paper could be found as no copy of the same wa taken at the War Department.— accordingly I again waited upon Mr Mart acting Secy of State and desired to know what had become of the paper in questi he replied that Mr Forsyth had mislaid it and all search hitherto had prov unsuccessful, and now particularly as Mr Forsyth had left Town, no chance of findi it remained until his return.— He considered that the accident had occurre in consequence of the slight informality of proceeding in the first instance by Ge Dunlap making the application to the Secretary of War direct instead of through the Secretary of State (which by the way Gen Dunlap doubtless had a motive in doing) These gentlemen were very polite and expressed themselves willing to waive any inconvenient formality providing the paper should be found, I might feel ne necessary to renew the application through the proper channel— viz— the Departme of State, to which he replied that if I considered it of such pressing importance as to require attention befor Mr Forsyth's return, to do so and it would be attende to.—

Conclusion to suspens further action

I have reflected since upon the matter and have come to the conclusion tha it will be better for me to suspend farther action upon the Subject until I am put in possession of any thing in the correspondence at home between my Governmen and the Representation of the United States, which may have a bearing upo such certain subject.— as Mr Forsyth, as I related to you in my last Dispatch, refered correspondence on one occasion to something in the communications between these, as evincin an intention on the part of Texas to deny the applicability of the Treaty of 1831 between the United States and Mexico, to Texas, and any farther reference to the same point which he might now make I should be unprepared to reply

If the copy of Mr Poinsetts answer is found I am promised it.— if not I shall wait until I hear from my Government, which may see fit to give me particular instructions, perhaps modify general Dunlaps enquiries after examining the Correspondence between the representative of the United in Texas and the Govt of Texas.—

suggesting the propriety of exercising caution in corresponding &c &c

I would here beg leave to suggest the Great importance of keeping privat such verbal Communications between the legation and the Government of the Uni States, as the foregoing, for the Secretary of State expressed himself much displ last winter, to find Conversation printed by the Congress of Texas, and he was afterward more reserved, than he otherwise would have been.— The great dan of any suspicion in Mexico, of our friends there, will suggest also to you, the propriety of great caution on his account.— I called to day upon the Mex Commissioners but did not find them I shall tomorrow renew my visit. I hope with better success

I have the Honor to Subscribe myself your most Obt. Servt

Nath'l Amory

P.S. I shall not write the result of my visit to the Mexican Commis unless something transpires of importance. — — —

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Pendleton South Carolina
30th Septemr 1840

R.C. Bee concerning our Indian relations with the United States

Sir.

Your Communication of the 8th August has just been sent me from Washington— The United States are disposed to forward all our views relative to the Indians, but I have confined myself to personal interviews with Mr Forsythe & Mr Poinsett until we could obtain copies of Mr La Branche's correspondence with your Department, as it was important we should be well informed before we opened a correspondence; my impressions is, Mr Labranche was informed that Texas did not consider the Treaty with Mexico and the United States on this subject as obligatory on them— Mr Amory's last communication will prove to you how important it is our eyes should be constantly directed to these Indians.—

I have always dreaded them infinitely more than Mexico; and two years ago, when I had the honor of being in the war Department— I addressed Mr Poinsett on this subject— his reply was— "That as long as the Indians were receiving their annual "stipends, he thought we had nothing to apprehend, as the slightest infraction of "the new Treaty of the United States would deprive them of their annuities."

That they should receive these on their own grounds and not on Texas is important, and the moment I receive Mr La Branche's Correspondence, will bring the whole subject formerly before the Government

Mr Roulets claim for damages

Mr Roulets claim for damages have been suffered to remain over until items were furnished— The Secretary wrote upon this subject as far back as April.

Promiscuous remarks

The political excitement on the United States is a full justification for your excellent remarks and suggestions; on habits of great personal courtesy with the Government men of both parties, and receiving marked civilities from the President and his Cabinet; I have pursued the even tenor of my way. were I to express feeling on the subject, it would be that of thorough disgust with both the parties, nothing can exceed the Press except the indecorum of the House of Representatives— I trust Texas will mark it, and avoid the baleful effects of party Spirit; but I have no hope of this, we are destined I fear to imitate the vices as well as the Virtues of the mother country.— The more I mingle in politics the more baleful they appear.—

Mr Treat in Mexico

My last letter from Mr Treat intimates that no steps has been taken by him since the disturbance in that Country, the mail was to sail by the mail Packet—.

Relating to Gen H. and his negotiation

Gen Hamilton and Mr Burnley doubtless keeps you constantly advised; in addition to the letter published in New York, I have the pleasure of informing you that by the Queen I received information that the recognition of our Independence by Holland had been obtained, and that the loan would be immediately opened; at the North no one doubts his success.— Lord Palmerston on the part of England will receive us into the Family of Nations in October; thus with money we might disregard Mexico; nevertheless, I would greatly prefer that Mr Treat should succeed.

I have been very much of an invalid since I left Texas, I am happy to say however— I am decidedly better, I am on a visit to my family in Ga. preparatory to their removal to Washington this Winter— I requested Judge Webb to say to you that while the whole diplomatic corps at Washington turned their faces to the North during the recess of Congress, I should look to the South— before doing so I took formal leave of the President and informed him that my Secretary would always be in attendance

I have the honor to be with great respect and esteem
Your Obt Servant
Barnard E Bee

Hon
Secy of State

Mr Hamilton relating to Mr Skin

My Dear Sir—

London Octr 19th 1840.

In the month of June last we found Mr Skin making his preparatio to send out his Colonist to Comply with the terms of his grant— one of which was we believe that the Colonist should reach Texas by the first of September.—

As we apprehended that the Europeans sent out about that period might suffer exceedingly from the climate of the alluvial portion of Texas, we advised him very strongly not to send them at that time but to wait until after the first of Novr. as we were quite sure that Congress would modify the law, to meet the exigency.—

We therefore sincerely hope that Your Excellency will take this matter into consideration use your influence to prevent any injury to the interest of Mr Skin in consequen of our advice.— As no persons in Europe have rendered the same useful and active service that Mr Skin and his son have done to Texas, they have every claim to the continued kindness and liberality of the Government

We remain my Dear Sir, with great esteem Very Respectfully

His Excellency
M B Lamar

Your Obedient Servts
J Hamilton
A T Burnley

Legation of the U S

Geo H Flood relative to the compaint of citizens of the U S for being impressed into the Army within her territorial limits

Galveston Octr 30th 1840

Sir

Complaints from Several persons, claiming to be Citizens of the United States, have been made to me, alledging they have been pressed to serve in the army of the Republic, while mere sojourners in the Country.

Will you be pleased to say if the Republic of Texas claim the right of pressing citizens of a foreign Government, who may be found in the Army within her territorial limits, to serve in her armies?

With Sentiments of high consideration, the undersigned has the honor to subscribe himself, Very Respectfully Your Obt. Servant

To,
Hon.
Abner S Upshur
Secy of State.

Geo. H. Flood

Mr Amory receipt of dispatches

Dispatch No 38)

Washington November 19th 1840

Sir

I have the honor to acknowledge the receipt of your several favors of 8 August and 19th and 30th of September last— That portion of the first of the above communications respecting Indian difficulties will be made the subj of correspondence with the Government of the United States on the arrival of Col Bee in a few days, his health having so far improved as to admit of his return to Washington.—

Indian relations

I presume Col Bee in laying the subject of late Indian aggressions (particularly the Caddos) before this Government will omit to in discussion of the question as to what extent the U S. is bound to aide and Texas in the expulsion of those U S Indians who for a long time have been in Texas— postponing the adjustment of that subject for the Governme Gen. Harrison, who it is now settled is to succeed the present in the 4th of March next, when perhaps the freedom of [illegible] from the many embarrassment under which [illegible] has for some time labored, justifies the

of the policy of opposing the Consideration of claims generally, which would swell the National debt or in any way injure the popularity of the party in power or offer any obstacle to its continuance another term.— To this cautious policy may in part be ascribed the failure of repeated applications to the Government of the U.S. heretofore.— and the prospect of success seems much greater with the coming administration than with the present, at least it cannot be worse.— In the mean time the correspondence between the Government of Texas and the Republic of that of the United States in Texas will have been received, together with a more accurate and minute Statement from yourself of circumstances favorable to the claim to be presented further instructions having been called for by Mr Jones Minister of Texas after the remarkable reply of Mr Forsyth of 3rd December 1838 & the subject has not since been strongly urged.

Concerning the boundary Commissioners

As discretion was allowed whether or not to Communicate the circumstances of Mr Smith's (Commissioner on the part of Texas to run the boundary between Texas and the United States) embarrassment for want of funds and the possibility of his failing to be on the spot to meet the United States Commissioner at the time appointed. I concluded that as he would doubtless have communicated the fact of the anticipated trifling delay to the U.S. Commissioner it would not require to be formally made known to the Government here.

Concerning Claims of Citizens

The evidence of theft committed by Indians of the United States to substantiate claims of Texan Citizens accompanying despatch of 30th Septr last will also be submitted to the Government of the U.S. and an urgent request made for immediate action.—

Relating to the appointment of Consul Philadelphia

Accompanying this are some recommendations of Mr Francis Gurney Smith for Consul at Philadelphia from the following Gentlemen viz: Nicholas Biddle late President of the U.S. Bank* Joseph Wander— R. F. Lopez, E. I. Dupont de Nemours &Co— Daniel M. Succin— George Wall— Fred'k Nolt— Fred'k Thorspe & Co.

I have been led to believe from personal observation and information to be reliable upon, that Mr Gray whose appointment for Consul for Philadelphia was rejected last winter by the Senate of Texas deserved to have been Confirmed, and therefore I take pleasure in advocating the appointment of a Gentleman named by Mr Gray as the person he most desires to succeed him, whose success would be some amend for the mortification he has endured, especially as I know, and as the accompanying highly respectable letters will show a better choice could not be made— in which opinion Col Bee, in a letter I received yesterday from him, desires me to signify his concurrence.—

I therefore should be much gratified if the President may deem it fit and convenient to appoint the Gentleman alluded to without delay.

Enclosed is a recommendation of Mr Jno S Preston for a situation in the Treasury Department of Texas— accompanying this you will also receive a copy of another Communication from the Secret Mexican Correspondent, altho not of very recent date.

I have the honor to be most Respectfully Your Obt. Servt

M Amory
Secy of Legation

To Secy of State.

* Mr Connelly a gentleman formerly associated with Mr Hamilton Minister of the U.S. to Mexico in this claim.— G. W. Woods Illegible of Galveston.—

To His Excellency
Mirabeau B Lamar

Philidelphia 26th Octr 1840

Recommending J G Smith for Consul Philidelphia

The undersigned Merchants of the City of Philidelphia and Vicinity engaged in Texan trade, would most respectfully and cheerfully recommend to your Excellency the name of Francis Gurney Smith Esqr. of this city as a suitable person for the Station of Consul of the Republic of Texas, at the Port of Philidelphia and Should Your Excellency be pleased to make the appointment, there is no person in our opinion whose long experience in Mercantile affairs, Urbanity of manners and high Standing among his fellow citizens would give a more dignified Character to the office, or more general Satisfaction to those engaged in the trade of that country
(Signed) Joseph Hands, R F Loper, E I. Dupoint de Nemours & Co, Daniel Smith Vaccin, George Wall, Fred Klett, Fred Shoppekende. —

Philidelphia Octr 26th 1840

N Amory Esqr

Dear Sir — Your Note of the twenty third Instant was received by me this morning. I immediately consulted with G W Ward Esqr and we embrace the opportunity of recommending through your influence Francis Gurney Smith Esqr. to his Excellency M B Lamar, President of the Republic of Texas, for the appointment of Consul in Philidelphia. He is a gentlemen long and favorably known in this Community of high commercial integrity and extensive business, and with all, a Strong and influential friend to Texas — Should the appointment be given to him I am authorized to say he will accept — and be assured, Sir, from the personal knowledge I have of him and of the reputation he here sustains, I am Confident he will do honor to Cause of Texas — you will find my declarations Confirmed on referring to Mathew St Clair Clarke Esqr of the City of Washington — Mr Ward who is still Philidelphia Concurs with me in the above recommendation

I am Sir, with sentiments of Respect Yours
Myers Fox —

Philidelphia Octr 31st 1840

Dear Sir —

In reply to your esteemed favor, I have to say I have known F G. Smith for upwards of thirty five years and you could not have named a more suitable person in the City, for Consul for Texas. therefore recommend him in the strongest terms for that office. In haste yours assuredly.
John Connell
N Amory Esqr

Philidelphia 1st Nov 1840.

N Amory Esqr
Secy Texas Legation.

Dear Sir. I have delayed sending you the enclosed letter of recommendation longer than I had anticipated when I wrote you last — principally on account of the absence of some of the gentlemen I wished to see — The names attached to the recommendation are among the first merchants for Character & integrity in the City — they are all more or less interested in the trade our Country, and some of them deeply. They all express themselves entirely satisfied with the manner in which the duties of the office have been performed by Mr Fox, and evince no little dissatisfaction at the harsh manner he has been by our senate after the unwearied attention he has used in our [illegible] appointment as Consul cannot be confirmed he desires Mr [illegible] appointment in his place — Say to Mr Wallach if you [illegible] Morton has not yet arrived but [illegible]

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N Biddle to Col Bee recommending F. G Smith for Consul at Philadelphia

Philadelphia Nov 10th 1840

His Excellency
B E. Bee. Minister &c

My Dear Sir: Some time ago you did me the honor to enquire of me whether I could recommend any gentleman as Consul for the Republic of Texas for the State of Pennsylvania, but not than having one in my mind, I was not able to name a proper candidate. To day however I learn that a gentleman had been proposed to you in every respect so fitted for your purpose, that I hasten to add my testimonial in his favor.— He is Francis Gurney Smith of this City, with whom I have been acquainted ever since we were boys at school.— He is now a Merchant of the most excellent private character— with an old and numerous and influential family Connection, and I think the selection of so very respectable and estimable a gentleman would do Credit to the Republic, and make friends for her in this Community, as you asked my opinion, I think it right to say I do not think you could make a better choice. —

With great respect, I regard you very truly
N Biddle.

J Hamilton to Secy of State Relating to the completion of a Treaty with England & her Financial Concerns.

London Nov. 6th 1840

My Dear Sir

I am happy to inform you that Lord Palmerston and myself agreed last night on the preliminary articles of a Treaty of Recognition amity & Commerce between Great Britain and Texas, by which I have procured the immediate and effective mediation of England for a pacification between Texas and Mexico— and extension of our boundary to the Rio Grande— Time has not allowed for the copying engrossing & executing the Treaty in time for the Great Western which sails tomorrow.— The Treaty moreover has to be laid before the Cabinet, but as Lord Melbourne Lord John Russel and the President of the board of Trade have declared for it, there can be no doubt of its execution the next week— I subjoin a copy of a Note I received from Lord Palmerston last night informing me of the unavoidable circumstances which have prevented our executing the Treaty in time for the Great Western.— This most gratifying and unexpected result at least with the promptitude with which it has been accomplished will be decisive of an ultimate success in negotiating the loan.— We must wait for a few days the issue of events on France.— If the war party is put down we shall I am sure soon be able to do something effectual with our loan & with which the leading bankers on the Continent and in England are most favorably impressed.— Mr Burnley I hope will go out on the 1st Decemr with the treaties and with as much credit and money as we possibly can raise for the Republic.— Such tightness in the Money Market in England is without example, which has arisen from the immense speculation in French funds requiring a large export of gold to pay for.— Besides a panic which has led to hoarding on the part of Capitalists with strongest measures on the part likewise of the Bank of England.—

As Mr Burnley cannot be out before the 15th of January (I mean at Austin) I would suggest that the Congress should adjourn during the Christmas holidays to meet him on the 3rd Monday in January as he may bring out in regard to your Finances, National Bank, and your public Lands, plans requiring great deliberation— I cannot close my letter without assuring you of the great assistance I derive from his useful counsels and untiring labors in our Mission

I will thank you not to [illegible]

Consul for Texas in Liverpool until Mr Burnley gets out, as the appointment will be made very influential for the public service of Texas

As a recognized Plenipotentiary for Texas I desire to retain my appointment at this Court as long as I remain in Europe.

I remain My Dear Sir with sincere esteem faithfully and Respectfully Your Obt. Servt.

J Hamilton

His Excellency
Mr B. Lamar Pres't of Texas

Palmerston to Hamilton Relative to signing Treaty with Texas.

G. J. B. Nov 1840

My Dear Sir:- I am sorry to say that it is represented to me by my officer that it will be physically impossible for the clerks to prepare the Treaties for signature tomorrow, and then also as there will be a meeting of the cabinet on Saturday the labors there, I could scarcely with propriety sign the Treaty with Texas without having first taken the opinion of all the Members of the Cabinet who may be in Town on Saturday.

There is also another circumstance which will render further delay necessary which is I cannot sign an engagement in behalf of the Crown without specially taking the Queens Command thereupon - and there would not be time to send a draft down to Windsor tomorrow and to obtain Her Majesty's sanction in the course of the day. It is also a general and useful rule with us to refer all drafts of Treaties to the Queens advocate General that we may be sure we make no engagements inconsistent with our laws - I fear therefore we must postpone our signatures until next week, but I hope no difficulty will arise in the mean time, except that which may relate to technical operations of Copying &c

Yours Sincerely
(Signed) Palmerston

Gen Hamilton &c

Washington 21st Nov 1840

To Hon
Abner S Lipscomb
Secy of State of Texas.

Mr Amory concerning the publication of certain documents which were of a confidential nature

Sir:- In consequence of the Umbrage given the United States last winter by the publication by the Congress of Texas of certain Conversations and private understandings between the former and the Representatives of the latter here, I take the liberty of now adverting to the fact in case you may not be aware of it, in order that due caution may be observed in publishing any of the kind in future, or indeed any opinions given by the legation relative to the policy or motive of the U.S. such for instance as the views expressed by myself in my despatch of 15th Inst:- which although perhaps proper to be made known to my Government might be highly improper to publish to the world.

You will please excuse a suggestion, which although probably unnecessary my anxiety to prevent the possibility of a recurrence of the mortifying complaint made to Gen Dunlap last Winter by Mr Forsyth induces me to offer at a time when the Congress of Texas is likely to call for the Correspondence between the two Governments

Very Respectfully your Obt Servt

N. Amory.

From a Secret Agent in Mexico on the subject of Mexican affairs in general.

Copy of a Communication from Col Bee's private agent in Mexico, the same source from which several letters of the kinde have been received, and Copies fowarded which secrecy it is still requested may be maintained

Mexico Octr 17th 1836

Mr N Amory

Washington

Dear Sir:

I am happy to inform you that your favor of August 19th came safe to hand last week, in which I learn that Col Bee was in the South on a visit to his family, in said letter I am informed of my despatch of 10th July having been received, from which it appears that my letter of the last of said month had not arrived, in which I gave a faint discription of the Revolution which occurred in this City between the 15th and 27th, said Revolution I had long predicted, but owing to the many impediments encountered by the revoltters, I was ashamed that I had written so much upon the subject, lest it should entirely fall through. The object of my Mission to this country being to remit to the Government truths & ~~not unfounded~~ and not unfounded surmises

I informed the Colonel and the Government of Texas that it was useless to dally with this Government relative to the Recognition of the former. It is true I once thought that a favorable turn was about to take place, and mentioned it in some one of my letters, but my hopes were soon blasted and I gave it as my opinion that all efforts would be fruitless, this opinion I also gave Mr Treat, but he was willing to believe the contrary — The blow on Wednesday was given, the Ultimatum, the finial answer of Mexico — and that was, "we will have nothing to do, or say directly or indirectly relative to the Recognition of Texas". Mr. Treat will leave in a few days for Vera Cruz and pass thence to Galveston or New Orleans. —

Let those interest be acquanted with the hostile feelings of the people of this Country towards Texas.

The Government of Mexico has effected a loan of six Millions of Dollard, out of which they get one and a half Millions cash, this Million and a half to be appropriated for thwith for the purchase of a fleet and Carrying on a War against Texas — Be on the alert if your intentions are to fight on the offensive. — Mexico will never be weaker than she is now, owing to her internal disputes, if you procrastinate, you will have to encounter a much greater force on Land than Mexico can now raise but a fleet into the bargain. — I am persuaded that Mexico will invade Texas if she is not prevented, and if she is only prevented by a defensive arm she will always keep Texas in a State of agitation. — The State of Mechoacan now Guadalayara is nearly in the power of the Federales — The capital of said State Vallidolide, is besieged perhaps taken by this time, Escomiras the Chief of the Revolters has the mountains for his home and is considered a Robber having to live by depredations

New Mexico I believe is nearly lost, Tobasco has been retaken by Anaya. — Some 600 men friends of Canales made an extraordinary march upon a town called Victoria and defeating a Col. of Arista with 300 Citizens and Government troops. — Arista himself has been dodging about Matamoras with some 2000 under his Command and I am enclined to believe he feels uneasy. — The Government I believe Count some 3500 men with hopes of a reinforcement — Gen Bravo is expected here in a few days and I learn by a letter of his to a friend which which I obtained a view of, he is to take the Presidential Chair, while Bustamente with the troops of this City in all 3000 and those on Rio Grande marches into Texas This is generally believed to be the movement —

morning, but with all my vigilance I cannot find out their destination. — The few of this city are still holding meetings, and have made attempts to rise, but were disa and their plans frustrated — They have lost their day here not in spirit but in power.

You are aware that the movements of the Country are slow and you have always time. I shall remain here only a few days longer, and then set out for the Rio Grande Country in order to be in the Centre of News, as the enemy will be cutting pranks in that quar and by being among them I shall be enabled from time to time to give information of t proceedings. You will in the mean time please Continue to direct to Vera Cruz, as I sha inform the house where to send your letters for me.

Please give me any information of a prevalent nature, and request Col Bee to give such Items as he may think proper and useful, as I shall be able to pass through their vers Camps, having made friends with several of the officers, my best respects for the Col. and receive my best wishes for your health and prosperity.

No 1.) Copy of a letter from an individual whose name and history I give on a separate Sheet.

Mexico Octr 17th 1840

Nathaniel Amory Esqr
Washington,

Dear Friend,

From Secret Agent proposed to write by the first opportunity, but having nothing of interest to Communica in Mexico I had defered doing so, the departure of Mr Treat and the failure in the object soliciting the which has brought him here, have induced me to address you and propose my services appointment for the Negotiations of the same business — Your acquaintance with my principles I doubts of Commissioner not will ensure your fowarding my views, I was opposed to the Federal so long as I was unacquainted with this people — now I am ready to assist them in obtaining their independence — My acquaintance is extensive with the influential men of both parties here, and if I am instructed to act I may avail myself of a favorable opportun to obtain a recognition, but let the instructions be clear, the proposal fair, and explici without any equivocation, because the things cannot be discussed, it is too obno -xious to the Mass of the people, it should be done by one Capable of persuading the the Government (either the present invested with extraordinary powers, or the next, it is the federal) to take the steps, a bold one indeed, and then the opposition bro into silence, but bribery is the last thing to be resorted to, and not the first as was done.

If S. Should ever govern, I can rely upon the assistance of his Premier who is not averse to the Idea of a Recognition but recommends utter silence on the subj not to awaken the opposition. Should the Federals be successful the leading one is intimate with me and through him, I have always been informed of all their plan and in the ranks of the present Government, I have one or two men who would ser your Cause, although they have the name of being your enemies. Let me hear from you whether my offer be accepted or not, this business must have no influence our former friendship. — Your letters must be directed to me here and not to Commercial House, and let your Style be so ambiguous as not to awaken suspicion. —

Excuse my scribling, for I am quite out of practice, and and forg my English fast —

Farwell, and believe me dear friend, affectionately y

Washington 27th Nov. 1840

Hon.
Abner S Lipscomb
Secy of State of Texas,

Mr Amory Relating to Secret Agent in Mexico

Sir: in despatch No 59. accompanying this, I have alluded to a letter received from an old acquaintance of mine in Mexico (Copy of which I also enclose herewith) and have promised a history of this person on a separate sheet, to be kept apart (as well as the Copy of this letter) for private information.—

The writer, Juan N Leplichier, is a Frenchman of talent and education—who was employed by Gen. antonio Nixon and Archibald Hotchkiss, the former Commissioner and the latter Empresario for the grants of Vhelin Yarala & Burnet, at Nacogdoches in 1833 for about one year and a half, with these persons he quarrelled violently, as well as with many other prominent individuals of Nacogdoches—at one time was attacked by a crowd, and but for the timely assistance of one or two brave men, might have perished. He is of a very irascible temper, and bitterly hatted many Texians and, for wrongs (he had as he conceived) received, openly avowing his hatred, and finally in 1835 leaving the Country— I thought him a man of honor, and still do, (but his enemies blinded as I think by their hostility against him) forgets to believe him guilty of all manner of Crime, of his intimacy with Almonte the present Secretary of War, I am satisfied as that commenced during his stay in Texas at Nacogdoches—and his account of the influence he possesses with other leaders, I implicitly believe—of his industry, indefatigability, and talent I have had ample proof, as well as of his perfect knowledge of the Spanish Language— My interest in a person who was perhaps unfriendly to Texas, at least to many Texians, proceeded from the conviction that he was a man of honor, which I still cherish.—

Reposing however, a Government trust, of the nature of the one solicited, is a delicate matter; and I think it incumbent in giving my opinion, to state that of others essentially differing— of my Judgment you will form your own estimate, and of the propriety of employing this person in any way, you can decide— but in case his offices may be required, with a promise of remuneration only in case of success, I should desire to have the proposition sent through me, in order to bind him more closely to a faithful discharge, by a solemn pledge to me personally— who have always befriended him, and I flatter myself am justified in expecting perfect confidence and frankness on his part.

I shall of course be much gratified to contribute to the attainment of so important an end as the pacification with Mexico, awaiting any suggestion you may do me the honor to submit—

I am most Respectfully Yours &c,
N. Amory
Secy of Texas Legation

Despatch No 59.

Washington Nov 27th 1840

Mr Amory re sundry letters in cipher rel to

Hon
Abner S Lipscomb
Secy of State of Texas,

Dear Sir: I herewith enclose copies of two Communications directed to me from the City of Mexico, one from the Secret Correspondent of Col Bee, copies of whose former dispatches have been regularly transmitted to the Department— and another from an old acquaintance of my own, whose history I give on a separate sheet, in order that it may be kept apart, with the cy. I have to add

private information— I received this morning an Austin paper of the 7th Inst— containing Presidents Message, and Mr Kaufman's address to the House of Representatives on taking the Speakers Chair, which I immediately sent to Messrs Gales & Seaton Editors of the National Inteligencer, with a request— they would publish as much of its Contents, as time and Space allowed, Considering the Contents highly interesting and proper to be disseminated through that respectable Journal.

I am not yet in possession of the Box of pamphlets and Public document called for by myself before leaving Austin in December last— but I have a letter from the Collector of Galveston saying that said box, and one for the Austrian legation (sent by my request—) were shipped per Brig Reaper, which Vessel I notice has arrived at Baltimore Col Bee will be here in a few days in Company with Mr. Calhoun.—

I furnish you with the following extract from a letter of Mr Radcliff Consul at New York, dated 26th Inst— "I did not receive a line from either of the Loan Commissioners "by any of the last Steamers, you probably have seen a piece in the Courier & Enquirer of "yesterday, the substance of which furnished by Doctr McCauley of Baltimore, it "states that Doctr McCauley said, Gen Hamilton the evening previous to his leaving "London, informed him that he had concluded a Treaty of recognition with Lord "Palmerston, which would have come out in the Western, had there been time to engross "and execute it, and that one of the provisions of it was that England should lend "her aide and influence to obtain the recognition of Mexico— Dr. M. states that "Lord Palmerston Gen Hamilton and himself, were the only persons in London, who "knew any thing of what had been done, this information comes through a respectable "source, and seems to be entitled to credence, yet it is to me very singular, that we "should get it in such a way." I hope to have something more important— to communicate shortly after Col Bees arrival

Respectfully Your Obt Servt.
A Amory
Secy of Legation

Washington Nov 30th 1840

Hon
A. S. Lipscomb
Secy of State of Texas.

Mr Amory Relative to Contracting for Stationary for this Govt—

Sir:— I have been offered by Mr Taylor, Bookseller and Stationer of this City (the Individual I recommended to the Secy of the Treasy for Stationary in March last;— in a letter to which I now refer, to supply the Government of Texas with Stationary) the States papers say the United States comprising some twenty odd Volumes for some 7$ per vol, on my own terms as regards Credit.

Thinking if we should fail to obtain this work from the Government of the U.S. in exchange for Texan Laws Journals, Public Documents &c. (which we now have it in our power to offer, by a late arrival of a box of these at Baltimore) it might be considered an advantageous arrangement to accept Mr Taylor's offer I now submit the same for your Consideration

Relating to funds, his Salary

I would beg the favor of your attention to my pecuniary necessities, by forwarding to me if the thing can be arranged, an order on the Loan Commissioners for six mos. salary being the residue for one year ending the 18th December next; the order for the first six months having been given to me on leaving Austin, and the amount the whole years salary having been paid me by Gen Hamilton, to whose Count I am much indebted, and feel particularly anxious to remit or hand him, the for the last as I have already done for the first six months— In addition to I would request an order on the Commissioners, or on some available Fund the Contingent expenses of Legation, deducting the amount of Mr Ta of Stationary at Par, whose order was paid by the Secy of the Treas for the expenditure of every dollar of which will be the account to the M. Trust

I would do also most earnestly request that I may be furnished with a draft on the Commissioners for the first six Months of the next year, or that some course be adopted to place me in funds which are absolutely necessary in this expensive place, and for want of which I shall suffer great inconvenience

Begging you will excuse my troubling you with these small matters I remain very Respectfully Your Obt Servt

S Swartwout

(Private & Confidential) London Decr 3rd 1840

I Hamilton concerning his appointment as Minister to England

My Dear Sir!

As soon as the Treaties with England are ratified, I should like to have my name sent to the Senate and confirmed as Minister Plenipotentiary and Envoy Extraordinary to the Government of Her Britanic Majesty, I do not wish to hold the appointment after the exchange here. But it will give me influence and power in this Country. —

I hold now the appointment but without confirmation. If I remain in Europe next summer, I will go to Spain and negotiate for the Cuba trade for Texas. But more of this hereafter, at present my hands are full of the Loan, which I hope soon to place in a course of. ~~a~~ railment.

To give dignity to the recognition of England I ought to be nominated to the full grade of a Minister Plenipotentiary. I do not care a farthing about the pay. Make no appointment of Consul for England until you hear from me, as we may make them highly influential for the service of the Republic

I remain very Respectfully Yours &c

I Hamilton. —

(Private & Confidential) London Decr 3rd 1840

Mr Hamilton Relating to his Negotiation

My Dear Sir.

I beg leave to refer you to my letter to the Secretary of State, and Mr Burnley's letter directed to the Secretary of the Treasury for a full Statement of our proceedings, plans & movements up to the present time. —

I feel confident that Great Britain will now compel under her recognition Mexico to make peace with us. The more promptly therefore the Treaty is ratified by Texas the better. — I feel the utmost confidence in the probability of our effecting an arrangement for the Loan by 1st January to enable Mr Burnley to go out — With a view to have the Government introduced to the Court of Her Majesty, I would respectfully ask you to have me nominated as Minister Plenipotentiary & Envoy Extraordinary to the Government of Her Britanic Majesty. — I do not wish a Secretary of Legation, and as soon as the exchange of the ratifications is made in London, I will come home, and you can appoint a charge which I suppose will be the grade the British Government will send.

But until the ratifications are exchanged in London I think it best to remain with my present rank. — It will be necessary now to have my name sent in. —

Relating to Monroe

I subjoin a letter I had to address to the celebrated Col Monroe Edwards who has alledged here, and made application to the British Government to demand of Texas the surrender of 200 africans which he alledges were fraudulently sold to him, as they were emancipated and apprenticed ~~to~~ the slave States; between Spain & England I have

I believe, although he has brought two of the Negroes over here to tell their own story, & applied to Lord Brougham & the Antislavery Society to aide him, Swill watch him and endeavours to act with firmness

Having now got through with my Diplomatic affairs, I shall leave for Holland tomorrow, and hope to do something in the Loan.

Lord Palmerston has directed that his dispatches for Mr Pakenham with our Mexican Treaty, should be sent by a fast sailing Vessel to Vera Cruz from Galveston, if there is no vessel from New Orleans, I have written to the Naval Command at Galveston to dispatch a fast sailing vessel in this event which I hope will meet your approval.

His Excellency
M Bancar.

Yours My Dear Sir, with much respect
J Hamilton.

No 15: Cockspur St
London Nov. 23rd 1840

Relating to Monroe Edwards

Sir:— I have just been informed Herenson that you have presented to him a letter of introduction asking his good offices from the Secretary of State of the United Services, and that you have a similar letter to Gen Cass the American Minister at Paris.— I beg leave to inform you that I have apprized Mr Herenson that you are a fugitive from the Public justice of the Republic of Texas. Charged with the commission of an infamous Crime, I shall feel it my duty to make a similar communication to Gen. Cass.— I likewise understand that you propose making an application to Lord Palmerston for the aide of Her Majesty's Government for the purpose of subserving some alledged objects of Public justice in Texas.

As the Representative of the Republic of Texas in Great Britain I shall not fail to advise Lord Palmerston of the facts which I have communicated to the Representative of the Government of the United States at Paris and London.—

Hope you will spare me the pains and necessity of a more detailed and public statement of your recent history in Texas.

I remain Your Obt Servt
J Hamilton
Envoy Extraordinary
of Texas

Monroe Edwards Esqr

Lord Palmerston forwarding dispatches

Lord Palmerston presents his compliments to Gen Hamilton, and has the honor to transmit to him herewith a packet of dispatches addressed to Her Majesty's Consul at Vera Cruz containing despatches for Her Majs Minister at Mexico. and Lord Palmerston request General Hamilton will have the goodness to cause this Packet to be dispatched by his Messenger who leaves London tomorrow evening, to be forwarded from Galveston by a fast sailing Vessel to Vera Cruz

Foreign Office Dec 2nd 1840

Mr Hamilton forwarding three Treaties with Netherlands, England & various preliminary remarks with Mexico in relation thereto

Sir. London Decr 3rd 1840

I do myself the honor of transmitting you by Arthur Maw Esqr bearer hereof dispatches three Treaties — which I have negotiated under very full powers, I visit— One Treaty of Amity and Commerce with the Government of the United Netherlands— One Treaty of similar character with the Government of Her Britannic Majesty— One Convention providing for the prompt and friendly mediation of Her Majesty's Government, with a view to procure a Peace with Mexico— The last Convention is in pursuance of a resolution founded on the joint resolution of both branches of the Congress approved the 23rd Decr 1839.

The Treaty with the Neth-

Hon

France in her Treaty with the same Government—To wit:— That with the view to the extension of Commerce and freedom of Navigation, that the ships of both Nations shall bring to the Ports reciprocally of each the production of any other Country.— As Holland conceded that we should determine what should constitute a Texan Vessel by even an instantaneous transfer on board of a purchase Vessel of the Flag of Texas, I conceived this principle in the Treaty was admirably calculated to increase the Commercial Marine of Texas.

The Commercial Treaty with England is likewise on the basis of the most perfect reciprocity, and I am happy to add that during the period that the Convention has to run, that She has relaxed her navigation Laws, in favor of Texas Vessels.

The Convention of Mediation and pacification you will see I have drawn out, with even a higher caution than the resolutions of the Congress of Texas would have authorized— By those of Mexico, agreed to the boundary we prescribed, we should have been bound by the Treaty, we are now bound by nothing except by the stipulations of a Treaty hereafter to be negotiated under the Mediation of England, which will be invalid without our full Concurrence.—

This Convention has done the repute and Credit of Texas in Europe, infinite honor, it has built up for us a host of friends, among not alone the Mexican Bondholders, but among other enlightened and highly honorable Classes, who are entirely disinterested, who perceive in this act the evidence of the Justice moderation and love for peace with which the new Republic is disposed to act—

As the Mexican bondholders decided to have their Million Sterling commuted for lands situated between the Neuches and Rio Grande it is quite obvious that this Treaty, so far from costing Texas a farthing, it will be the source of wealth, population and strength to her.— The Mexican Bondholders ardently desire this Communication, and in the event of the ratification of the Treaty by Mexico, they will endeavour at once to have it effected.

They have waited on Lord Palmerston by a deputation, and signified their anxious wish, not only for peace between Texas and Mexico, but that Commutation should be made.— On the event of its being effected, that they will forthwith adopt an emigration and Colonization Scheme, on the plan of the South Australian Colonization System, and throw a large population of our own race of Valuable Emigrants into the Country.—

However took especial care in my correspondence with Lord Palmerston to enter a protestando against its being Considered for one moment that Texas was bound for any portion of the debt of Mexico, but we made this a concession to our desire for peace and a well defined boundary between the respective Nations.— This Correspondence will be forwarded to you by the January Packet by Mr Burnley.— Lord Palmerston has sent by the British Packet a copy of this Convention and urgent dispatches to Mr Pakenham instructing him to make a solemn and emphatic appeal to the Government of Mexico— which I have no doubt—altho Mr Bocanegra's mission may have failed will meet with success, backed as this appeal will be, by the whole influence of the Mexican Bondholders, which they have concentrated by a combined movement.— This Convention will at least, if it is even not ratified by Mexico, if ratified by Texas, enable us to effect, I am sure not a part, but our whole loan, and thus placing the means in the hands of Texas to Command peace on her own terms.— I cannot but urge the instantaneous ratification of these Treaties, and that they may be forwarded to the Charge of Texas at Washington to, wait instructions from me, by what mode they shall be forwarded to me.—

I enclose a form of ratification for all the Treaties, this form, is adopted by the United States of America which will serve for Texas.

In consequence of Belgium waiting on some discriminations, without an adequate equivalent, my Treaty is not signed with that power.— But I hope to forward it by the Bursley, as I leave this for Brussels tomorrow, on my way to Holland, to recenter in Negotiations for the Loan.

I remain Sir, with the highest respect, Your Obt Servt—

J. Hamilton

To the Hon
Abner S Lipscomb
Secty of State &c.

Treaty of Commerce and navigation

between the Republic of Texas and Great Britain.

The Republic of Texas, and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being equally desirious of affording every facility and encouragement to their respective citizens and subjects engaged in commercial intercourse with each other, have nominated as their plenipotentiaries to conclude a Treaty for this purpose, that is to say:—

The Republic of Texas, General James Hamilton &c. &c.

And Her Majesty the Queen of the United Kingdom of Great Britain and Irelands, The Right Honorable Henry John Viscount Palmerston, Baron Temple, a Peer of Irelands, a Member of Her Britanic Majesty's most Honorable Privy Council, a member of Parliament, Knight Grande Cross of the most Honorable order of the Bath, and Her Britanic Majesty's Principal Secretary of State for Foreign affaires; =

Who, after having communicated to each other their respective Full Powers, founde in goode and due forme, have agreede upon and concludede the following articles:-

Article I.

There shall be reciprocal liberty of Commerce and Navigation between and amongst the citizens of the Republic of Texas, and the subjects of Her Britanic Majesty; and the citizens and subjects of the two Countries respectively shall on pay, in the Ports, Harbours, Roads, Cities, Towns or Places whatsoever, no other or higher duties, Taxes, or imports, under whatsoever names designated or included, than those which are there paide by the citizens or subjects of the most favored Nation; and the citizens and subjects, respectively, of the two High Contracting Parties shall enjoy the same rights, privileges, liberties, favors, immunities, and exemptions, in matters of Commerce and Navigation, that are granted, or may hereafter be granted, in either Country, to the citizens or subjects of the most favored Nation.—

No duty of Customs, or other imposts, shall be charged upon any goods the produce of one Country, upon importation, or by lande, from such Country into the other, higher than the duty imposts charged upon goods of the same kinde, the produce of, or from, any other country;— and the Republic of Texas, and Her Queen of the United Kingdom of Great Britain and Irelande and engage themselves not to grant a [illegible] privilege of Commerce and Navigation, to [illegible]

the other High contracting Party, gratuitously, if the concession in favor of that other State shall have been gratuitous; or on giving as nearly as possible the same Compensation or equivalent, in case the concession shall have been conditional

Article II

No duties of Tonage, Harbour, Lighthouse, Pilotage, Quarantine, or other similar or corresponding duties, of whatever nature, or under whatever denomination, shall be imposed in either Country, upon the vessel, or upon any articles the growth, produce, or Manufacture of the other, in respect of voyages between the two Countries, if laden, or in respect of any voyage, if in ballast, which shall not be equally imposed, in like cases, on National vessels; and in neither Country shall any duty, Charge, restriction, or prohibition, be imposed upon, nor any drawback, bounty, or allowance be withholden from, any goods imported from, or exported to, any Country, in the vessels of the one Country, which shall not be equally imposed upon, or withholden from, such goods, when so imported or exported in the vessels of the other Country.

Article III.

The Citizens and subjects of each Country shall enjoy full liberty to go to the Ports and Harbours of the other Country, where other foreigners are allowed to enter; to unlade their Merchandize therein, to hire and occupy Houses, and peaceably to Conduct their respective trades and professions.—

The ships of war of both Countries, respectively, shall have the liberty to enter freely and touch at all such Ports in each Country into which the ships of war of any other Nation are permitted to enter; subject, however, to the regulations, Laws, and Statutes of the respective Countries.—

Article IV.

The Stipulations of the present Treaty shall not be considered as applying to the navigation and carrying trade between one Port and another situated in the Dominions of one Contracting Party, by the Vessels of the other, as far as regards passengers, Commodities, and articles of Commerce; such navigation and transport being reserved by each Contracting Party to National Vessels.—

Article V.

The High contracting Parties reserve for future Negotiation, and at such time as they may mutually agree upon, the conditions upon which the trade and navigation shall be regulated between the Republic of Texas and Her Britanic Majesty's Colonial Possessions in Europe, Asia, Africa, and America.—

Article VI.

Whereas in the present state of Texian Shipping, the Republic of Texas would not enjoy the full benefit of the reciprocity intended by this Treaty, if no Vessel were to be admitted into British Ports as a Texian Vessel, unless it had been built within the territory of Texas; it is therefore agreed, that for the space of Eight years, to be reckoned from the date of the exchange of the ratifications of this Treaty, any Vessel, wheresoever built, being bona fide the property of, and wholly owned by, one or more citizens of the Republic of Texas, and whereof the master and three fourths of the Mariners, at least, are naturalized citizens of the said Republic, or persons domiciliated in that Republic by act of the Government, as lawful citizens of the Texian Republic, to be certified according to the laws of that country, shall be considered as Texian Vessels; Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, reserving to herself the right, at the

of the saide term of Eight-years, to claim that the provisions of the British Navigation act relative to the nationality of foreign Vessels, shall be strictly applicde to Texian Vessels in British Ports.

Article VII

The Consuls and Vice Consuls of each Country shall, within the Territory of the other, enjoy all the rights, privileges, and immunities which are accorded to such functions by the law of Nations.— and it is provided, that in the Ports of each Country especially the authorities shall give all due legal assistance and protection for the apprehension, safe keeping, and delivery of all deserters from the Ships of War and trading Vessels of either Country.— and all the powers and privileges granted in respect to the matters to which the stipulations of this article relate, by either of the Contracting Parties to any other Nation, shall be granted by such Contracting Party to the Consuls, Vice-Consuls, Ships of War, and trading Vessels of the other.

Article VIII

If any Ships of War or Merchant Vessels should be wrecked on the coasts of either of the High Contracting Parties, such ships or vessels, or any parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and Merchandize which shall be saved therefrom, or the produce thereof, if sold, shall be faithfully restored to the proprietors, upon being claimed by them, or by their duly authorized Factors; and if there are no such proprietors or Factors on the spot, then the saide goods and Merchandize or the proceeds thereof, as well as all the papers found on board such wrecked ships or vessels, shall be delivered to the Texian or British Consul, in whose District the wreck may have taken place, and such Consul, Proprietors or Factors, shall pay only the expenses incurred in the preservation of the property, together with the rate of salvage which would have been payable in the like case of a wreck of a National vessel, and the goods and Merchandize saved from the wreck shall not be subject to duties unless cleared for Consumption.

Article IX

The exercise of the rights of religious worship and freedom of conscience, shall be reciprocally secured to the citizens and subjects of each Country, by the Government of the other.— The right of sepulture shall be reciprocally accorded by each of the contracting parties to the other; and there shall be no law passed by either Government that shall violate the right of property, or limit the power of bequeathing personal estate by Will or Testament.

The citizens or subjects of the one Country residing in the other, shall not be liable, under extraordinary warrants, or otherwise, to compulsory service or to forced loans; and on all questions effecting the rights of Person or property the courts of Judicature of the one Country shall be impartially open to the citizens or subjects of the other.—

In the event of war between the Contracting parties, the citizens or subjects of the one Country, residing in the other, shall reciprocally have twelve months, after a formal declaration of the same, to depart with their property and effects, and without any hindrance disturbance whatsoever.—

Article X.

The present Treaty, when the same shall have been ratified by the Government of the Republic of Texas, by and with the advice and consent of the Senate, and by Her Britanic Majesty, shall be binding and obligatory on the Parties for eight years from the date of its signature; and further, upon the expiration of twelve months after one of the High contracting Parties shall have notified to the other an intention to terminate its duration.

It is further agreed, that in twelve months after the Contracting Parties shall have rec

and

Article XI.

The present Treaty shall be ratified, and the ratifications shall be exchanged at London as soon as possible within the space of nine months from this date

In witness whereof the respective Plenipotentiaries have signed the same, and affixed thereto the seal of their arms.

Done at London, the thirteenth day of November, in the Year of our Lord one thousand eight hundred and Forty.

J Hamilton (Seal) Palmerston (Seal)

Convention

Whereas Her Majesty the Queen of the United Kingdom of Great-Britain and Ireland, being desirous of putting an ende to the hostilities which still continue to be carried on between Mexico and Texas, has offered Her Mediation to the contending Parties, with a view to bring about a pacification between them; and whereas the Republic of Texas has accepted the Mediation offered;- The Republic of Texas and Her Britanic Majesty have determined to settle by means of a convention, certain arrangements which will become necessary in the event of such pacification being effected, and have for this purpose named as their Plenipotentiaries that is to say.

The Republic of Texas, General James Hamilton &c &c.

And.

Her Britannic Majesty the Queen of the United Kingdom of Great-Britain and Ireland, The Right Honorable Henry John, Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of Her Britanic Majesty's Most Honorable Privy Council, a Member of Parliament, Knight-Grand Cross of the most Honorable order of the Bath, and Her Britanic Majesty's Principal Secretary of State for foreign affairs.

Who after having Communicated to each other their respective full Powers, found in good and due form, have agreed upon and concluded the following articles.

Article I

The Republic of Texas agrees that if, by means of the Mediation of Her Britanic Majesty, an unlimited Truce shall be established between Mexico and Texas within thirty days after this present Convention shall have been communicated to the Mexican Government by Her Britanic Majesty's Mission at Mexico, and if, within six months from the day on which that Communication shall have been so made, Mexico shall have concluded a Treaty of Peace with Texas, then and such case the Republic of Texas will take upon itself, a portion, amounting to one Million Pounds Sterling, of the Capital of the Foreign Debt contracted by the Republic of Mexico before the 1st of January, one thousand Eight Hundred and thirty five.

Article II.

The manner in which the capital of one Million Pounds Sterling of Foreign Debt, mentioned in the preceding article, shall be transferred from the Republic of Mexico to the Republic of Texas, shall be settled hereafter by special agreement between the Republic of Texas and the Republic of Mexico, under the Mediation of Her Britanic Majes[ty] —

Article III

The present Convention shall be ratified, and the Ratifications shall be exchanged at London as soon as possible within the space of nine months from this date.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.—

Done at London, the fourteenth day of November, in the Year of our Lord one thousand eight Hundred and forty.

J Hamilton (Seal) Palmerston (Seal).

Treaty of Commerce and Navigation

Between the Republic of Texas and The Netherlands.

The Republic of Texas, and His Majesty the King of the Netherlands desiring to regulate the relations of commerce and Navigation between the two Countries, and to consolidate and protect their mutual interest by means of a Treaty of Friendship, Commerce, and Navigation, have appointed Plenipotentiaries for that purpose, Namely:

The President of the Republic of Texas, James Hamilton Esquire, and His Majesty the King of the Netherlands, John Gubert Baron Verstolk de Soelen, Member of the Body of Nobles of the province of Holland, Knight Grand Cross of the orders of the Netherlands Lion, of Saint Stephen of Hungary, of Nichsi Iftihar of the Ottoman Porte, of Christ of Portugal, of Charles III of Spain, and of the Crown of Wurtenberg, His Minister of State holding the Department of Foreign affairs.

Who after exchange of their respective full powers, found in good order, have agreed upon the following articles

Article I.

There shall be a firm and sincere friendship between the Republic of Texas and His Majesty the King of the Netherlands, His heirs and successors, and between the citizens and subjects of the two States, without exception of person and places.—

Article II

There shall be reciprocal liberty of Commerce and Navigation between amongst the subjects of His Majesty the King of the Netherlands and the citizens of the Republic of Texas, and the said subjects and citizens respectively shall not pay in the Ports, harbours, roads, cities, towns or places whatsoever in either of the two countries any other or higher duties, Taxes, or imposts under whatever names designated or included, than those, which are there paid by the subjects of the most favored Nation; and the subjects and the citizens of both Contracting parties shall enjoy the same rights, privileges, liberties, immunities and exemptions in matters of Commerce and Navigation, which are granted or may hereafter be granted in the States of either of the Contracting parties to the subjects of the most favored Nation.

Article III

The inhabitants of both Countries

where other foreigners are at present or shall be in future admitted to, and to remain and reside in any part of the said possessions and States, and also to hire and occupy Houses and Warehouses, for the purpose of their trade

In like manner the Ships of war of both Countries respectively shall have the same liberty, freely and securely to touch at all ports, rivers, and places, where the Ships of war of any other nations are permitted or shall in future be permitted to enter, subject however to the laws and Statutes of the respective Countries.

On the right mentioned in this article to enter all places, ports and Rivers, is not concluded that of trading from Port to Port, nor the coasting trade (Cabotage) which is allowed only to National Vessels.

Article IV.

Vessels of His Majesty the King of the Netherlands arriving at or sailing out of the Ports of Texas, and those entering into the Ports of the Netherlands shall not be subject to other, or higher duties of tonage, of light-money, port charges, or to pilotage, quarantine or any other affecting the body of the Vessel, than those, which are or shall be paid by the Vessels of the Country itself.

Article V.

Goods and Merchandize, whatever their origin may be, imported into or exported from the Ports of the Netherlands in Europe, from or into the Ports of the Republic of Texas, in Vessels of the Netherlands, shall pay no higher or other duties than shall be levied on the like goods, and Merchandize so imported or exported in National Vessels.—

And reciprocally, goods and Merchandize whatever their origin may be, imported into, or exported from, the Ports of the Republic of Texas, from or into the Ports of the Netherlands in Europe in Vessels of the said Republic, shall pay no higher or other duties, than shall be levied on the like goods and Merchandize so imported or exported in National Vessels: The Countries, drawbacks or other favors of this nature, which may be granted in the States of either of the contracting parties, on goods imported or exported in National Vessels, shall also, and in like manner, be granted on goods directly imported or exported in Vessels of the other Country, to and from the Ports of the two countries, it being understood, that in the latter as in the preceding case, the goods shall have been, loaded in the Ports from which such Vessels have been cleared.

Article VI.

No duty of Customs or other impost shall be charged upon any goods the produce of one Country upon importation higher than the duty or impost charged upon goods of the same kind the produce of, or imported from, any other Country, and His Majesty the King of the Netherlands, and the Republic of Texas do hereby bind and engage themselves not to grant any favor, privilege or immunity in matters of Commerce and Navigation to the subjects of any other State, which shall not be also and at the same time extended to the subjects and Citizens of the other Contracting party, gratuitously if the concession in favor of that other State shall have been gratuitous, and on giving as nearly as possible the same Compensation or equivalent in case the Concession shall have been Conditional. In such a case the m[illegible] will be made the object of a particular Convention between

parties.— The Dutch spiritous liquors shall not be subject to higher duties than those of the most-favored Nation.—

Article VII.

The Contracting parties agree to consider and treat respectively as Vessels of the King of the Netherlands, and as Vessels of the Republic of Texas, all such as being furnished by the Competent authority with a passport or sea letter, shall under the then existing laws and regulations, be recognized as National Vessels by the Country, to which they belong.—

Article VIII.

The Subjects of His Majesty the King of the Netherlands in the Netherlands Colonies, and the products of those Colonies shall enjoy in Texas, all the advantages, which are, or shall be granted to the most-favored Nations.—

Reciprocally the Citizens and products of Texas, shall enjoy in the Colonies of His Majesty the King of the Netherlands all the advantages, which are or shall be granted to the most-favored Nations of Europe and America.

Article IX.

All Traders, Shipmasters and other subjects of his said Majesty, shall have full liberty in the Republic of Texas to conduct their own business themselves, or to intrust the management thereof whomsoever they may choose, either Ship-Agent Brokers, agent or interpreter, and they shall not be obliged to employ other persons for that purpose, or to pay them higher salaries or remuneration, than in similar cases are employed or paid by Natives. In like manner buyer and seller shall be at full liberty in all cases, to regulate and fix at their option, the price of imported or exported goods and Merchandize of whatever kind, conforming themselves to the established laws and Customs of the Country.—

The same privileges shall be enjoyed, under the like Conditions by the Citizens of Texas, in the possessions of His Majesty the King of the Netherlands.—

Article X.

In all what relates to the Police of the ports to the loading & unloading of Ships, and the security of goods, Merchandizes and wares, the subjects & Citizens of the Contracting parties reciprocally shall be subject to the laws and local regulations of the Country where they reside.

They shall be free of all forced Military service by land or by sea, no forced loans shall exclusively be forcede imposed upon them; and their property shall be subject to no other Charges, demands or Taxes, than what is paid by the Natives of the Country itself.—

Article XI.

The Subjects and Citizens of the Contracting parties shall reciprocally enjoy the most complete and Constant protection with respect to their persons Houses and property.

They shall have a free and ready accept to the Courts of Justice for the persecution and defence of their rights. They shall be at liberty to employ the advocates, attorneys or agents of whatever denomination, whom they may choose, and in general, in the administration of Justice, and also in regard to all that Concerns the inheritance of personal property by will or otherwise and the faculty of disposing either by sale, gift, exchange, will or any other manner of personal property, they shall enjoy the same privileges and rights as the Natives of the Country, where they reside; and in neither of these Cases or Circumstances Shall heavier Taxes or Charges be imposed on them than are imposed on Natives.

Article XII.

The Subjects of His Majesty the King of the Netherlands
the Republic of Texas shall not be any way molested
Religious, of being an

Country together with its Constitution laws and Customs.— They shall also have the privilege of interment in the places set apart for that purpose for the subjects of His Majesty dying in the Republic of Texas, and the funerals and burying grounds shall in no wise be molested under any pretext.

The Citizens of Texas in all the possessions of His Majesty shall have the free exercise of their religion, whether in public or in private, in their own dwellings or in edifices destined for public Worship, all and every thing according to the principle of universal toleration established by the fundamental law of the Kingdom.

Article XIII.

With a view of greater security in the intercourse between the subjects and Citizens of the two Contracting parties, it is moreover agreed, that should, at any time the friendly relations, that now exist between them, be disturbed, the Merchants, that reside on the Coasts shall be allowed six months, and those, that reside inlands, a full year to arrange their affairs, and to dispose of their property, and they shall also receive save-Conduct to embark in whatever port they choose: All the other subjects and Citizens, residing in the respective territories, for the exercise of any Trade or Special business, shall have the privilege to remain, and to Continue such trafic, without being in any manner disturbed in the Complete enjoyment of their liberty and of their property, so long as they shall Conduct themselves peaceably, and do not Commit any offence against the laws of the Country, their property and effects of whatsoever nature, shall not be subject to seizure or sequestration, nor to any Charge or inspection, than such as accur with respect to Natives.

Article XIV.

It is further agreed between the two Contracting parties, that the Consuls and Vice Consuls of His Majesty the King of the Netherlands in the ports of Texas, and reciprocally those of the Republic of Texas within the dominions of His Majesty the King of the Netherlands in Europe, shall enjoy all those rights, privileges and immunities, which are accorded to such functionaries by the law of Nations, and that in the ports of each Country respectively the authorities shall give all due legal assistance and protection, for the apprehension, safe keeping and delivery of all deserters from private or public Vessels of either Country, as the case may be, and all the powers and privileges given by the Contracting parties, to other Nations, shall belong to both reciprocally, as it regards the apprehension, safe keeping and delivery of such deserters.—

Article XV.

In case of average or of Ship wreck the like protection and assistance shall reciprocally be afforded to the Vessels of the two Contracting parties, as are enjoyed by the Vessels of the Country in which the accident occurs.—

Article XVI.

Should one of the Contracting parties be at war, it shall be allowed to the subjects or Citizens of the other to prosecute their Commerce and Navigation with the exception only of Contraband goods, and of such places, as are actually under seige, or are blockaded by belligerant powers with a force adequate to prevent the neutral from entering.—

XVII.

By Contraband shall be understood guns, mortars, fire arms, pistols, bomb-shegrandates, shot, muskets, flints, matches, powder, sheilds, pikes, swords, accoutraments, pouches, saddles, bridles etc. except such quantities of these articles, as are necessary for the defence of the vessels and the Crew.

Article XIX. 18.

In cases where a Merchant-ship of one of the contracting parties may be searched by a ship of war of the other, it is agreed, that the search shall only be made by a boat-manned with at most six men; that the master of the merchant-vessels shall not be obliged to quit his ship, and that the papers shall not be taken from on board

If the Merchant-Vessel is under Convoy of a ship of War, no search shall take place, and the assurances of the Commandment of the Convoy on his words of honor that the Merchant-Vessel has no contraband on board, shall be held sufficient.

Article XIX

In the ports of the neutral party, the Vessels of war of the other and the prizes, which she carries in there, shall meet with all that aide and protection, which are Compatable with the law of Nations.

Article XX.

In case the Contracting parties should at any time mutually beat war with a third power, it is stipulated, that the ships of war of the one party shall convoy the Merchant-Vessels of the other, as often as they hold the same course; that the prizes made by the ships of war of the one, shall be admitted in the ports of the other, and may be sold there, after legal adjudication, and that in case of recapture by one of Prizes made made on the other by the enemy, the same shall be restored the original owner, deducting in favor of the vessel recapturing not more than 1/8 of the value, in case the recapture was made by a ship of war, or of 1/6 if made by a privateer.

Article XXI.

The present Treaty shall be in force for the term of eight years commencing three months after the exchange of ratifications, and further, until the end of twelve months, after either of the Contracting parties shall have given to the other notice of its intention to terminate the same; each of the Contracting parties reserve to itself the right of giving such Notice to the other after the expiration of the said term of eight years; and it is hereby mutually agreed, that in case of such notice, this Treaty and all the provisions thereof shall at the end of the said twelve months altogether cease and determine..

Article XXII.

The present Treaty shall be ratified and the ratifications shall be exchanged at the Hague, within nine months of its date, or sooner if practicable.

In witness whereof the respective Plenipotentiaries have signed the same and have affixed thereto the seals of their arms. —

Done at the Hague this Eighteenth day of September in the year of our Lord One thousand eight hundred and Forty.

J Hamilton Seal.

Verstolk de Soelen Seal

Geo H Flood relating to the surrender of Mc Queen

Legation of the U S.
Republic of Texas
December 12th 1840

Sir:-

Herewith enclose you the Copy of a letter written by a Citizen of the United States, and do respectfully request you to say whether the courtesy of the Republic of Texas, extended to Nations with whom she has official intercourse will authorize a surrender of the person reffered to in the communication, for the offences charged against him.

With Sentiments of high respect, I have the honor to be, very Respectfully, Your Obt Servt.

Geo. H. Flood.

To the Hon.
Abner S Lipscomb
Secy of State &c &c.

Mr Wagner to Mr Flood relating to the surrender of Mc Queen charged with crime in the U.S.

Houston Texas
8th Decemr 1840

Sir:-

I take the liberty to enclose the within letters begging you to forward each one to its respective address, and at the same time to apprize you that William McQueen late Postmaster of New Orleans is now in prison in this City on a charge of fraudulently absconding from his Creditors in Louisiana, I have in my possession a certified Copy of an indictment found against him by the Grand Jury for the United States Court, also a warrant to arrest him, issued by said Court, with authorization to act as Deputy Marshall of said Court. I likewise expect to receive in a short time a certified Copy of an indictment found against him by the grand jury of the State of Louisiana, for having feloniously carried away twelve Negroes mortgaged to secure debts due by him. My object in addressing you Sir, is to know whether the Government will surrender him on the exhibition of these documents, and if not, what other documents will be necessary.

I omitted to state above that the indictment in the United States Court charges him with being a defaulter under the Sub Treasury act.

I crave your excuse for the hurried manner in which I write, which I cannot easily avoid, as it is late at night, the mail starts early tomorrow morning, and I have just heard that he is about to escape by giving bail.

I respectfully request your attention to this matter, and as earlier an answer as may be convenient

I am Dear Sir,
Your most humble Servant
(Signed) Peter McWagner

To the
Hon Mr Flood
Chargé d' affairs of U S.

Mr Bee relating to arrest- General Hamilton relating to

Dispatch No 60. Legation of Texas
Washington Decemr 16th 1840

Sir:-

I reached here a few days since, and finding my instructions pressing I concluded to commence a correspondence with Mr Forsyth Secy of State of the United States on the subject of Indian relations, and of Gen Henderson's arrest, altho' on the former subject I do not feel myself so well prepared with proofs, facts, and information as would be desirable, but I trust the most important, referred to in dispatch No 58 viz the con[illegible] between the Government and the Representative of U S.

States in Texas, will soon be received.

The cause of my considering an appeal to the Government of the United States unadvisable in the case of Gen Henderson's arrest will be founded in the accompaning extracts from writers on international law - but the additional instructions from my Government - being still to the effect - to demand satisfaction, I have done so, as will be seen in the subjoined copy of a dispatch to Mr Forsyth the reply to which when received will be immediately communicated to my Government.

(Extracts from writings on international Law)

Wheaton, is of opinion that the exemptions privileges and immunities appertaining to Ministers in the country to which accredited, does not apply in a country through which passing, and in that opinion he is sustained by the following authors to whom he refers. -

Vallet says:- Indeed that Prince to whom the Minister is sent - is under a particular obligation that he shall enjoy all the rights which are annexed to his character, but those through whose Country he passes, owe him an entire security, to arrest him, and offer violence to him, would be hurting the right of embassy.

Bynershoek, condems a decision of the Court of Holland de MDCXLIV & MDCLIX That of embassadors are out of the power of the Government where residing, it does not except second class Ministers, nor any other than of eminent dignity, par excellence, called embassadors - for he says - are not all Ministers equally under the protection of the Sovereign, what matter is it, if for economy, or other reasons, an inferior minister sent? and then goes on to say, how can a judge act in case where the individual is not subject or under his control etc etc.

Rutherforth Institute, says that exemptions from Civil suit depends upon the embassador having been received by the Government to whom accredited, as this is a tacit acknowledgement that he is under the jurisdiction of the Country from whence sent - unless the contrary be agreed upon between them - therefore the exemptions does not apply in passing through another Country either going or coming. -

Wards Laws of Nations, says that Vallet is the only author attempting to carry the point of exemption of embassadors in the Country to which they are not accredited and cites numerous authorities to the contrary. -

De Hassan, says that the French in 1772, from the Court of Versailles issued the following circular to the Diplomatic Corps, after obliging Baron Wreck the Minister from Hesse Cassel to pay his debts.

A Minister may be obliged to comply with contracts made before a Notary, and their goods may be seized - and again - A Minister cannot avail himself of Special privileges to avoid paying his debts, he can be summoned in a legal Manner to pay his debts, c numerous instances of arrest for debt, and adding, the most moderate of you is to abstain as far as possible from all acts which might be termed indecent towards a Minister, but he can be prohibited to leave the Country until his debts are paid.

The United States, have passed a law, exempting those Ministers accredited to her from suit - but only those accredited

England in the time of Queen Anne, passed a law to the effect, as that of the United States, after a Russian Minister had arrested and the Complaints from his Government received.

The passage of a Special act fortifies the position of the shewing that its passage was necessary, because the law not fully recognize the principle. - and all this &c

One of the strongest points in our favor is

Set th

previously obtained a Book containing it, which was forwarded by Mr. M. to the Government.

Respectfully Your Ob. Servt.

James E. Bee.

To Hon.
Secy of State. &c.

Mr Bee to Mr Forsyth Relating to the U.S. Indians. their relation with the Mexican, Comanchies of depredations on Texas Citizens. with various arguments relative to the propriety of the U.S. compelling them to remain at Home &c. &c.

(Copy) Legation of Texas
Washington Decemr 12th 1836.

To the Hon.
John Forsyth. Secy of State of the U. States.

The Undersigned charge d'affaires of the Republic of Texas, is under the necessity of reporting by direction of his Government, to Mr Forsyth Secy of State of the United States a further act of aggression on the part of certain Indians of the United States against whom repeated complaints have hitherto been made by this Legation.

Mrs. Webber, who with her two children were taken prisoners by the Comanchee Indians in Sept 1839. near the City of Austin in Texas, at the same time her husband and family were killed, made her escape in the Spring of the present year, and succeeded in reaching San Antonio de Bexar, having previously traveled her Captors, and never lost sight within 30 Miles of the same place, when she was recaptured by the Caddo Indians and by them restored to the Comanches.

She represents that there were Mexicans, Shawnees, Cherokees, and Choctaws, and a considerable number of negro Slaves, men women and Children from the United States with the Caddo's, who on the approach of Spring retired up the Red River to their Country.

It is believed that these Caddo's are pensioners of the United States, receiving their annuities in some instances through an Agent, without even the necessity of surrendering themselves within the United States, and are thus provided with means of procuring their hostile measures against Texas, and of supplying the Comanches and other wild Indians, with arms and ammunition for a like object. While at the same time they offer encouragement to Slaves both of the United States and Texas, to take refuge with them.

The Undersigned would most earnestly call the attention of the Secy of State of the United States to the [illegible] to the great importance to the two Countries of the strongest exertions of means to restrain these Caddos, by withholding their annuities, or by some other course, and of forbidding and preventing them from receiving into Texas.

The repeated applications to the Government of the United States to restrain her Indians from committing depredations upon Texas in accordance with the Treaty stipulations between them and the former, have been answered by an assurance on the part of the United States of her willingness to comply with what was conceived to be her engagements in this respect, but since the [illegible] from Mr Powell Secy of War of the U.S. to Mr Forsyth of 18th Feby 1839 he seems to entertain the belief that the Government of the U.S. is not bound to interfere with Indians residing within the limits of Texas, notwithstanding that many of this class, such as the Cherokees Mexicans, Delawares, Kickapoos, Choctaws, Shawnees, and Caddos, have already been considered by the Texans as intruders, forfeiting their last claim to a permanent occupancy of the Country of their abode.

The right Texas has to consider these a portion of the Indians referred to in the Treaty between the U.S. and Mexico, cannot certainly be [illegible]

mingled as they doubtless are, with others of their tribe from the United States whereon has taken place since open hostilities between Texas and the Indians allowed to commerce and many of whom pass and repass from one country to the other at will.

It is moreover that long previous to, and since the Independence of Texas, its inhabitants have been constantly apprehensive of an attack from these United States Indians, and been frequently called upon to take arms in defence of the settlements, in anticipation of such an event — no confidence ever having been felt or evinced in their pacific intentions, by the people of Texas — But on the contrary those inhabitants in the immediate vicinity of such Indians were always in a state of alarm, and constantly harrassed by the fear of hostilities on the part of their perfidious neighbors.

A large body of such Indians, including some of each of the various tribes, are now and have been for some two years past, encamped, near Texas, and at the time defeated in pitched battle, they have contrived to rally and re-unite, and with augmented forces drawn from the tribes within the United States, still continue the depredations to plunder and murder our citizens.

The repeated efforts made by the Mexicans to use the North American Indians as allies in the war against the latter, has not been done to the knowledge of Texas only, for on board the Mexicans confirmed those efforts to the Indians inhabiting Texas, the loyalty and connexion between those of the same tribe residing in different countries, has been evinced by which communication by Mexico, would be likely to lead to an extension of hostilities, and cause great mischief to both countries, especially now, that the Government of the United States has concentrated such vast numbers of warlike Indians on the frontiers of Texas as Arkansas, without it would be easy for the requisite force to intimidate them from commencing those hostilities which must ensue if disagreeable relations existed, and the danger of which is most clearly shown in the late refusal of the Government of Arkansas to the General Government of the United States.

Frequent representations of the understanding between our enemies the Mexicans, and the North American Indians have already been made to the Government of the United States by the Representative of Texas here, to some of which the undersigned begs leave to refer, as well as to offer some additional facts for consideration.

In 1836 many Hundreds it is well known visited Matamoras, and Gen. Felix Houston the 13th December 1836, being then in command of the army of Texas, writes from Camp Salmon on the San Saba River, to the following effect — (the same having been corroborated by similar statements from other sources.)

Travino, a Mexican informed Gen Houston, that when the Cherokee chief was in Matamoras the summer previous, the interpreter Nicolas Cortinas by name, at his house, and from him he learned, that the Indians had agreed with the Mexican forces, to act in friendly with the Texians, until the latter had passed the Rio Guadalupe, when they were to march on to the frontier with 3000 warriors.

The Undersigned would also refer to the communications of the Texas Minister of Texas to Mr Forsyth under date of the 31st December 1838 and to the copy of the Journal of the Mexican Emissary Don Pedro Julian Micheltorena accompanied the same. This mans progress towards combining a large force Indians on or about the line of the two Countries, Texas and the United States appears to have been very considerable, previous to the arrest of the Mexican Spy plans and his death.

Reference may also be had to the documents — to the Government of the United States, under date of June 29th Penalosa Minister of Texas, taken by Texas Rangers Mexicans which [illegible]

the Indians, and to which papers contained overtures from the Mexican Gen. to the various tribes of North American Indians, inviting them to unite in the war against Texas, as some of them soon after did.

But in addition to these and many other similar attempts on the part of Mexico, to incite the Indians to take up arms — one case directly affecting the interests of the United States, should not be omitted here — a verbal account of which was given Mr Poinsett Sec'y of War of the United States in August last by the Legation — the information was obtained from a private agent in Mexico who can be depended upon and is as follows,

Several Cherokee Chiefs from Arkansas arrived on their Way in June last at the Head Quarters of the Mexican Gen. Arista near the Rio Grande, for the purpose of making arrangements for the removal of a Number of their tribe, ostensibly as cultivators to settle in that portion of Mexico bordering upon Texas, — The principal man of their number one John Brown (well known in Washington) proceeded to the City of Mexico, and obtained the permission contained in the document, of which the following is a translation —

War & Naval Department
Central Section 1st Board } In consequence of the petition presented by you on the 4th inst. inclosing a copy of the power conferred on you by several of the Chiefs of the Cherokee and Quaneha (Delawares) tribe, or Nation, to solicit the permission of settling peaceably in the Republic for the purpose of cultivating the soil, and raising stock — His Excellency has thought proper to accede to your petition, and has directed me to inform you thereof, in order that you may in due time make known the Number of families wishing to emigrate, that their lands may be designated in Chihuahua, New Leon, Coahuila, and Tamaulipas — God & Liberty!
Mexico June 20th 1840 Almonte

Mr John Brown.

This document although carefully guarded in expression when taken in connexion with other attempts to excite the Indians against us, shews conclusively that an extended plan of hostile operations was contemplated under the pretence of receiving Indians from the United States as peaceful emigrants and cultivators — and the necessity of great vigilance and precaution on the part of both of the United States and Texas, to prevent any Coalition of the Mexicans and Indians is manifest.

Every effort has been and is still making, to destroy and drive back into the United States from whence they came, the intruding Indians herein complained of, and the Undersigned would most earnestly impress upon the Government of the United States, the propriety and justice of ordering the return of all those those Indians who have Strayed from beyond her borders into Texas, and that upon their return, either by forcible expulsion or otherwise from Texas, the most energetic measures may be adopted to prevent any further intrusions on their part.

The undersigned has the honor to enclose herewith the evidence of certain thefts committed by United States Indians of Arkansas, a statement of which, together with an application for redress, was made to the Government of the United States, under date of 21st February last — at which time, a postponement of action upon the subject was deemed necessary by the United States Government, for the want of sufficient evidence. —

It is hoped that what is now furnished, will be considered ample, and prompt restitution of the property, or remuneration for the losses sustained will be made, or procured to be made to the sufferers. —

The undersigned takes this occasion to advert to an occurrence which has been allowed to pass some time without com[ment] by this

owing to a delay the receipt of additional instructions called for from the Govern
of Texas, in the case to be submitted occasioned by some irregularity of Conveyance.

Relating to the arrest of Gen Henderson, Texan Minister to
the arrest Court of France, in New York, on his return to Texas in the latter part of the year 1839,
of Genl at the suit of Mr Timothy J Kissam and Messrs Holbrook & Co, on account of a responsibi
Henderson incurred by endorsement, from which his ambassadorial character should have protect
in New York him in passing through the Country of a friendly power — The manner of the arrest was
made uncourteous in a high degree, The first intimation he received of the claim, was
from the Sheriff, who proceeded to his apartment and arrested him in the most ceremo
-nious manner, altho he exhibited his Commission as minister to France, and protested
against the arrest as an insult to Texas, and a violation of her ambassadorial righ
General Henderson was subjected to a delay of several days before he was liberated
by a decision of the Court, and his feelings were violated by indecorous language towar
his Country by Mr Kissam, one of the Plaintiffs — The case was tried before the
Superior Court of the City of New York — Timothy J Kissam Vs J P Henderson —
Lowell Holbrook, Thomas C Nelson & Wm E Shepard & the same — D. Lords Esqrs
& Mr Butler has further witnesses to the arrest.

It is hoped that the United States Government which has ever wisely pr
itself jealous of its own rights, will feel the necessity of instituting prosecutions aga
its Citizens, who have been so far forgetful of their obligations, as to violate the most
salutary rules of international decorum and of universal polity, which rules
contribute so much to the Conservation of National harmony, by affording a
free passage to the messengers of peace and reconciliation.

The undersigned Chargé d'affaires of the Republic of Texas, takes
present occasion to offer to Mr Forsyth Secy of State of the United States, th
assurance of his high consideration.

(Signed) Jas Pinckney Henderson.

Hon. John Forsyth
Secy of State &c. &c. &c.

Mr Porter Relative to an outrage Committed on the Citizens of this Republic by Officers of the U. States — of the State of Arkansas (one of the United States of the North) Mr Ferguson

To His Excellency
David G Burnet

City of Austin January 2nd 1841.

Dear Sir: As one of the Representatives of this Republic, I consider it my duty to Communicate to Your Excellency, as the Chief Magistrate of the same, Intelligence of the violation of this jurisdiction of Texas, by of the Republic, Committed on the County, which I have the honor in part to a Minister Represented by one of the functionaries of a Neighboring Republic. — By Letters which I have just received, I am informed that the Marsha U. States of the State of Arkansas (one of the United States of the North) has recent visited the County of Red River in this Republic, and by virtue of a writ of fieri facias issued from the federal Court of the United States, for the Dist of Arkansas, seized upon, and took into his possession as Marshall, s Negroes, which were in the quiet possession, and were the property of of the Citizens of this Republic. — This outrage upon the laws of the Repu and the rights of our citizens was perpetrated I learn, by a person named Fe acting in the Capacity of Deputy Marshall of the State of Arkansas. was Committed in the County of Red River, at least fifty miles west of the farthest line, to which the United States have ever laid claim. — of the Neighborhood in which this outrage was Committed, were with the author of it, and peaceably requested him to desist from his duro; he, however refused to Comply, and declared his the property into Arkansas, upon which they fo his possession. I have [illegible] them

I deemed it my duty as a citizen and one of the Representatives of the Country in which this attempt was made to outrage individual rights and violate the national jurisdiction, to inform Your Excellency of the facts of the case, so far as they have come to my knowledge. believing that such flagrant acts of violence by foreign functionaries, will not be tolerated by the constituted authorities of this Republic, and having the highest confidence in the zeal, discretion and energy of the present Chief Magistrate.

I have the honor to be,

Your Excellency's most Obt Servt

Wm N Porter

Mr Hamilton Relative to Clauses omitted in the Treaty with France in influencing &c &c Concerning misfortunes Negotiations &c &c.

London January 1st 1841.

Sir=

Since my last respects to you, I beg leave to inform you that I have visited Brussels for the purpose of signing the Treaty which I had partially negotiated in this place with the Belgian Minister.

The Government of Belgium insisted on a descriminating reduction of 3/5 of the duties on Linens, woolen and other cloths and Fire arms as a set off, as they assured me for the discriminations which Texas had made in Her Treaty with France. As I was privy to the formation of that Treaty when Concluded in Paris, and supposed as a matter of course that it contained none of these discriminations, which I knew Gen Henderson had firmly and steadily resisted, I denied the fact alledged, and said that all the favor Texas had granted France, was to take off the duty on French Wines by a proclamation of the President issued after the ratification of the Treaty. I felt strong in assuming this ground, with the Treaty in my pocket.

On my arrival at Brussels, I leave you to judge my surprise and mortification when I found that the Minister for foreign affairs of Belgium, had been furnished from Paris, with a copy of the Treaty as ratified at Austin, which under the 17th Article contained discriminations in favor of France, on the important articles of silk and Brandy, although the Treaty as published in the Galveston paper as ratified contains no such clauses.

I can only infer that Mr Saligny persuaded the Government of Texas to grant these favors, against which you will do me the justice to say, I earnestly protested, and warned the Government of Texas against the policy of granting these discriminations, on my letters from Charleston February last, without a fair and stipulated equivolent.

It is a most fortunate circumstance that these after inserted clauses in the Treaty were unknown to me prior to the conclusion of my Treaty with the Netherlands and Great Britain, or I should never have obtained a Recognition from either power without reductions of the duty on articles suited to the productions, which would have brought your tarriff down to a Caput Mortuum.

As these were voluntary concessions made to Mr. Saligny for their benefit without the shadow of an equivolent I presume of his Government, he confirmed by the strongest assurances, Marshall Soults pledge to aide me in the negotiation of an loan.— I will go to Paris next week, and see what his pledge is worth— Previous to this period such a visit would have been fruitless, as the Noble Veteran was out of power, and Paris itself almost in a revolutionary ferment. Whether the French Government can do any thing, is exceedingly problematical in reference both to the power of the Executive under the character to pledge the faith of the Government, and next with an immense loan, which France has to Negotiate for her own wants, whether she will have, either the disposition or ability to aide us.—

As Texas is now bounde by a Treaty for eight years, without an equivolent, to grant these stipulations France, in common parlance we have paide for the Horse before its delivery, or must now trust to accident for a just compensation for there. Hope however in the next fifteen days to effect a Negotiation here, which will supercede all necessity for making an appeal to the French Government.

Gen Hamilton declines signing Treaty with Belgium for certain reasons

The Sequel of my Negotiations with Belgium is briefly tolde, I refused to extende so injurious a principle to Texas, as to grant special favors without a just equivolent, and therefore declined signing the Treaty, altho the Minister of foreign affairs abated his claim on all the articles except Linens and Fire arms, and I believe would at last have been satisfied if I had given a shilling descrimination of 2/5 on Linens, but with the recognition of England, I did not conceive that Texas was in a condition to purchase the favor of any Nation, by impolitic concessions which would leade to incalculable mischief throughout the whole foreign intercourse of a Commercial Nation.

Nothing could have been more unfortunate than the descriminations you have granted in favor of France, as they have established a precedent we must eradicate with the least possible delay. — If France had negotiated our loan, or endorsed our Bonds, we should have had a fair equivolent, to which no other Country could have taken exceptions.

In view of acting on Spain in regards to the Trade with Cuba, I would recommend instantly the imposition of a descriminating duty of 50 per Cent ad valorem, on the productions of all Nations that have not recognized your Independence.

Refering you to my private letter to President Lamar and to Mr Burnley in person for information both financial and diplomatic, I have only time in conclusion to assure you the great Consideration and esteem, with which I am very Respectfully

Your Obt Servt

Hon.
Abner S Lipscomb
Secy of State &c. &c.

J Hamilton

P.S Under your Letter of 15th August I have advanced 2000 £ to Mr McIntosh.

London Jany 1st 1841.

J Hamilton relating to Treaty and Convention concerning the African Slave Trade

Sir

I did not send out by Mr Kirr the bearer of the dispatches I made the hon of transmitting you on the 3rd of Decr a special Convention which I concluded with Her Majesty's Government for the suppression of the African Slave Trade, because anticipating the Necessity of Mr Burnley's return to Texas at the present moment on business of importance to the Republic, I was desirous of confiding the Treaty in particular question to this Gentleman, who familiar with all the details of its negotiation might be able to afford such explanations as may be necessary to ensure its ratification by the President and Senate of Texas.

You will perceive that whilst Lord Palmerston, was aware all night to enquire into the internal institutions of Texas, yet he has made her concurrence in the great law which seems now to regulate the intercourse of Civilized Nations to wit — a union in those measures which are deemed essential to the suppression the African Slave trade, as a preliminary and indispensible condition of her recognition by Great Britain. — Under my general powers to obtain and acknowledgement of the Independence of Texas from Great Britain on the best terms I have Concluded with his Lordship the Treaty which I have now the honor to with the sincere and anxious hope, that it will be promptly ratified by the authorities to whom this trust is Confided under the Constitution and Laws.

I beg leave to refer you to my Letter applying to his Lordship on the part of Her Majesty's Government marked A to his reply thereto and his answer marked B.

The Treaty will speedily be [illegible]

of Texas for having signed such a Convention.

But I desire to place my reasons in a form free from the formal stipulations of the document itself that it may be clearly seen, that I did not sign this Contract without weighing well what I believed belonged to the interest and honor of Texas.

In the first place the abhorrence of the whole civilized world of the African Slave trade, is becoming so universal that no new Government at least, can stand out on any, even a silent toleration of the abuses of this traffic, by declining to concur in those measures for its suppression which seems to be adopted by very general accord by almost all Nations.

Even where the mutual right of search is not conceded, that Flags belonging to such powers will be violated and Ships overhauled and be subjected to vexatious detentions and hardships is proved incontestably by the frequent violation on the Coast of Africa of Ships of the United States of America for which the Minister of the United States will have to do either, to sign a Treaty with England, conceding the —— right of search on board of Slavers, or to go to War, for the repeated violations of her Flag. Seeing how little redress Mr Stevenson has been able to obtain his own Country, notwithstanding his able prompt and vigorous appeals to the Government of Her Britanic Majesty, I determined when Lord Palmerston made the signature of a Convention for the suppression of the African Slave Trade a *sine qua non* and I saw what the Convention was — how guarded in its provisions, by which England great and powerful as She is, subject her Commercial Marine to search by the Naval Force of Texas, as well as not to hesitate in regard to the execution of a Treaty, and to prefer a regulation of this right, under the authority of Texas herself — rather than to be compelled to acquiesce in a violation of our Flag without the shadow of authority, which I am sorry to say, and say it with deep humiliation, is now the case with the Vessels of the United States.

Such is the force of public opinion in Europe, in regards to the African Slave Trade, that I have no example in affirming that the right of search in all cases of well, or even ill founded suspicion, will be exercised, and from the peculiar locality of Texas, her vicinity to Cuba, that Great Mart of the Slave Trade, her Flag would be insecure, and thus results the obvious inquiry, whether She had not better take this subject under her own Control to a certain extent, by exercising the authority to Commission alone such Vessels as She thinks proper to do the with the requisite power to search, to have her Coasts exempt from visitation and to insure that all Vessels prostituting her Flag to the purposes of this traffic shall be brought into her own ports for adjudication. You will perceive that I have stipulated 1st That the right of search shall be reciprocal, and only applicable to the African Slave Trade. 2nd That this right shall only be exercised by Vessels under a Special warrant from the President of Texas, recoverable of course in the case of any violation of the Treaty on the part of any officer of Her Britanic Majesty to whom the President may confide such a Commission. 3rd That every precaution has been adopted to prevent the abuse of vexatious delays, and groundless seizures, and to redress and punish all such abuses. 4th In all cases the Vessels which may be detained under the suspicion of their being Slavers, are to be taken into some one of the ports of the Country under whose Flag they are Navigating for adjudication. 5th To avoid the possibility of abuse by the manumission in Texas of the Africans seized under the Treaty, and who may be incapable of providing for their own subsistence & protection, the British authorities, at the expense of the British Government are to convey them to one of the British West India Islands.

6th The coasts of Texas is by the lines

* can obtain no redress and one of the strongest things the Government has done

and Longitude designated in the Treaty declared exempt from the exercise of the search, I endeavoured to have this exemption extended to the whole gulf of Mexico, but consequence of the enormous traffic in Africans from the coast carried on in and from Islands of Cuba, I could not secure this object and finally, agreed on the compromise contained in the Treaty.

As Spain, Portugal, the Netherlands, Belgium and even France, the most jealous Nations on earth of the Naval Powers of Great Britain, have all conceded this right of search concluded Conventions, by no means as guarded as the one to which have affixed my signature, I trust it will be deemed no violation of the just pride of the New Republic that I should have signed for her a similar compact on the basis of an entire reciprocity.

The truth is that the right of search in the Treaty I have the honor to transmit you is no more like the right of search which Great Britain exercised for more than fifteen years on board of American Vessels, than a naked act of violence is analogous, the execution of the judgment of a Court of Justice — I have not been alarmed by the potency of mere names against the evidence of what things really are — If the Texan Vessels are searched, I wished them searched under the authority of your own Magistrates, and if your Flag is fraudulently prostituted to the purpose of a traffic, you have declared piracy, that the parties offending shall be tried by your own Courts, that by the admiralty Courts of the West Indies or mixed Commissioners on the coast of Africa.

If there is a concession in this matter I have thought it was not beyond the value of the resignation of such a power, as the great and renowned parent from which we have all sprung, and that Texas owed this unequivocal truth of her good faith in the constitutional inhibition of the traffic, and to the refutation of the slander industriously propagated in Europe, more especially in England, that the cause of her separation from Mexico, was that she might enjoy its fruits under the security of a public act which could annul her own laws. When I say to you (a fact of which I believe you are fully aware) that I am a slave holder and that in 1813 I joined that portion of the army of the United States which invaded Canada because our Marine was searched by British Couriers, without the authority on our Government as the united States made peace without a single stipulation in regard to the right, or its abuses, I leave you therefore to infer whether I would willingly sign a Treaty endangering the security of the property, or injurious to the honor of the Flag of Texas.

I cannot but reiterate the anxious desire that the President and Senate of I would concur in the Confidency of ratifying the Treaty, as I feel satisfied with an unworthy Concession, this measure will go far towards conciliating the regard and securing the friendly sympathy of the most enlightened Nations of Europe by whom her Independence has been acknowledged, and with whom she has so valuable and interesting Commercial and international intercourse

I have the honor to remain, Sir

Very Respectfully

Your Obt Servt

J Hamilton

The Hon

A S. Upshur

Secy of State.

P. S. I transmit Copies of the Slave Trade Treaties, England has concluded, with France, the Netherlands and Spain.

(Copy of Document A.) London Octr 1st 1840

To the Right Honorable

Viscount Palmerston

My Lord.

Hamilton to Palmerston Relative to the formation of a Treaty with England

I desire the honor of presenting my credentials to your Lordship, as the Envoy of the Republic of Texas, charged with the function of making an application to Her Majesty's Government for the Recognition of the Independence of the Republic of Texas,— charged likewise with the duty of Negotiating a Treaty of amity and Commerce between the respective Countries, should this recognition be made.

Your Lordship is so well acquainted with the foreign relations of the powers of the New, as well as the old worlds, that I deem it almost unnecessary to inform you — 1st That Texas has de facto achieved her independence. 2nd That she has established a Government; founded Civil and social institutions; and acquired an intelligent and warlike population, which furnish her with undoubted means of maintaining that Independence, against the power of that Country, from which she has separated herself by a formal Declaration.

On the unquestionable authority of these facts, Texas obtained in 1837. the recognition of her Independence by the United States of America, in 1839 by His Majesty the King of the French, and during the autumn of the present year by His Majesty the King of the Netherlands, and by His Majesty the King of Belgium.— With the first of whom I have concluded a Treaty of Navigation and Commerce, and with the last have agreed on the projet of a similar Convention.

I now present myself to Her Majesty's Government for a like purpose, and cannot but express the sincere pride and gratification I should feel, if in conjunction of your Lordship, I could be in any degree instrumental in extending, and Confirming those friendly relations, which are destined to exist between the Citizens of the Governments we respectively represent, whose intercourse must be cemented by the reciprocal benefits of a lucrative Commerce, and by the sympathies of a common Origin, Religion, Language, Literature and Laws.

I have the honor to be, with distinguished Consideration and respect, Your Lordships.

Most Obt Servt

(signed) J Hamilton

(Copy B.)

Palmerston to Hamilton Relative to the formation of a Treaty between England and Texas — Declines to enter into Negotiation upon the conditions proposed

Sir

Foreign Office, Octr 18th 1840.

I have the honor to acknowledge the receipt of your letter of the 1st Instant, announcing that you have been charged by the Republic of Texas to make an application to the British Government, with a view to obtain the Recognition of the Independence of Texas by Her Majesty, and that you are empowered to negotiate a Treaty of amity and Commerce between Great Britain and Texas.

I have to state to you in reply, that Her Majesty's Government, is willing to enter into negotiation with you for a Treaty of Commerce and Navigation between Great Britain and Texas, believing the time to be now come, when the Independence of Texas may be considered as being de facto fully established, and when the interest of Great Britain requires that the Commercial intercourse between Great Britain and Texas, shall be placed under the security to be afforded by a Treaty.— But I deem it ri

frankly to state to you, in the outset, and before our Negotiations begins, that Her Majesty's Government would not be willing to conclude a Treaty of acknowledgement with any New State possessing a Naval Flag, unless such state were to consent to conclude, at the same time, with Great-Britain a Treaty for the suppression of the African Slave Trade; and there are many Circumstances connected with the geographical position of Texas, which would render it peculiarly incumbent on Her Majesty's Government to make the conclusion of such a Treaty a sine qua non condition of any other Treaty between Great-Britain and Texas.

I am aware that as a considerable portion of the people of Texas have come thither from the United States, some prejudice may exist among them against the concession of the mutual right of search, which is the necessary foundation of all Treaties for the suppression of the Slave Trade; but I trust that a little reflection, and even a cursory examination of a Draft of such a Treaty, which I now send you, will be sufficient to shew that any objection of this kinde on the part of the Republic of Texas would not rest upon any substantial grounds. — For the right of search which the people of the United States have objected to, and the Right of search granted by the numerous Slave Trade Treaties which have been concluded by Great-Britain with other powers, though similar in name, are in reality two entirely different things.

The right of search which has been the subject of discussion between the United States and Great-Britain, is the right to be exercised by a Ships of War of either Country to search during War a Merchant-Ship of the other Country, in order to ascertain if there be on board of her any deserters from the Naval Service of the Country to which the searching Ship belongs; and if such deserters should be found on board the Ship searched, to take such deserters back to the service which they had illegally and in breach of their duty abandoned.

But the mutual Right of search to be exercised under the Slave Trade Treaties and especially under the Treaty of which I send you a Draft, is a right to search Merchant-Vessels which may on reasonable grounds be suspected of being engaged in Slave Trade; in order that, if upon examination they should be found to be so engaged, they may be sent before the Tribunals of their own Country to be there adjudicated according to the Laws of their own Lands; and it is also to be observed that the search is to be made by the searching Ships of War, and by any Right or authority Conveyed to it by the Government of the Country to which it belongs, but in virtue of a warrant to be given to it by the Government of the Country to which the Vessel that is to be searched belongs: so that the searching officer may be Considered as being for the purpose and occasion, a Special Constable appointed by the Government of the other Country to assist in preventing the laws of that Country from being violated, and to aid in bringing before Tribunals of that Country any person who may have attempted in certain matters to violate those laws. — You will see that there are moreover in this Draft various provisions Specially Calculated to prevent, or to punish any abuse of the powers given to the Naval officers of the two Countries; and I trust that if you are willing on the part of Texas to enter into Negotiation with me on the matter, we shall be able to conclude a Treaty, which on the one hand would place in security the just Rights of the Flag of Texas, while on the other it will prevent that Flag from being illegally employed to protect a crime the severest penalties of which have been attached by the Texian Laws

I have the honor to be, Sir,

Your most Obt Humble Servt

(Signed) Palmerston

To Gen.
J Hamilton
Envoy of the Republic
of Texas

160

Copy No.

London Octr 20th 1840

Mr Hamilton to Mr Palmerston acknowledging the receipt of letter relative to the acknowledgment of Texas by Great Britain

My Lord.

I have had the honor to receive your Lordships despatch of the 18th Inst: in which I am informed that Her Majesty's Government is prepared de facto to recognize the independence of the Republic of Texas, and to conclude a Commercial Convention with it provided likewise a Special Convention for the suppression of the African Slave Trade is concluded which is made a Sine qua non to the former Treaty— and for this purpose Your Lordship has enclosed me the Draft of a Convention which has been concluded with nearly all the naval powers of the civilized world which have colonies or dependencies in which or by which their Flags might prostitute to the purposes of the traffic in question.—

You have justly adverted to the extreme sensitiveness of the citizens of the United States and of all those who are decendants from, or connected with them, on the subject of a forcible and unauthorized search of their vessels on the high seas, and I must confess to you, that as valuable as the recognition of so august and powerful a Nation as Great Britain unquestionably is to the Government I have the honor to represent, I should not be inclined to purchase this boon, if I could suppose for a moment, that I was about, as its price, to surrender a right essential to the security and honor of Texas.

Mr Hamiltons satisfaction of Draft for Treaty presented by Mr Palmerston with exceptions

The truth is My Lord, I have read with extreme satisfaction the Draft of the Convention you have sent me, and with a few modifications which I shall have the honor to suggest to Your Lordship, on a verbal Conference tomorrow, I will be prepared to sign such a Convention without the slightest hesitation as I believe such a Treaty, will be promptly ratified by the Government of Texas.—

Remarks upon the different features &c

The first great Cardinal feature of the Convention, is that the right to search, is incident to a warrant issued by the Government, whose Vessels are to be made the subjects to the exercise of this right, that it is not only a matter of agreement, but is founded on a principle of the most perfect reciprocity. I concur therefore entirely in opinion with Your Lordship, that there is no analogy between the privilege we mutually concede under Special warrant reciprocally to certain designated Cruizes under the Flag of both Nations, and a diligent right to search for deserters which led to the late war between Great Britain and the United States.

Besides by the provisions of the Convention according to the Draft which Your Lordship has sent me, all Vessels detained under the exercise of this right are to be sent to the Country to which they belong to be adjudicated by its tribunals and under its own laws, and on the faith of the Treaty in question.

I am likewise gratified to perceive that all abuses are carefully guarded against, whilst their occurrence is to be met with proper redress and punishment, should the Naval officer intrusted with the warrant of search, in any degree violate his duty, or the stipulations of the Treaty.

I must however make it a matter of express and preliminary condition that the Coast of Texas by such degrees of Latitude and Longitude as we shall mutually agree upon, shall be entirely exempt from the exercise of the right to guard against the possibility of its Coastwise trade being unintentionally, by subjecting her Vessels to vexations and delays.

I must likewise suggest the expediency in case of the condemnation of Slavers under the Texian Flag, by the Texian Courts of Justice, that instead of the Africans being manumitted in Texas that they should be conveyed by the British authorities, to one of the British West India Colonies, and in case of Captures on the Coast of Africa, that the slaves should be sent to some British Settlement, on that Coast however necessary

it may be to sende the Vessel Master and Crew to some Port in the Republic Texas for adjudication and trial.

Texas by a fundamental article of her Constitution has declared the Slave Trade piracy. — I believe She will willingly concur in any measures with rest of the civilized worlde to make this declaration effectual.

It is true She permits the Migration of Citizens of the United States with their domestic Slaves because She does not desire to deny herself the valuable Contingents, patriotism Courage and high faculties for public service which characterize the Citizens of the Southern and South Western portions of the American Union — but to the African Slave Trade and the indirect — and illicit — import of Africans from the West India Islands, She is as much opposed as the Government of Her Britanic Majesty's Government, and I believe She will embrace with cheerfulness the opportunity by ratifying the Treaty — I may conclude with your Lordship, not only to manifest reprobation of the atrocities of the traffic in question, but to put down the unfound slander, that one of the causes of her separation from Mexico, was the annulment of the right to holde Slaves under the laws and Constitution of the latter Country. — But as a discussions of the causes which led to this separation does not belong to the topic which forms the subject our correspondence I shall content myself in concluding by remarking that in however mitigated a form domestic Slavery may be destined to exist — the Deltas of the great Rivers of Texas, on which the African is alone able to labor in the enjoyment of bodily health and vigor, that seven tenths of the whole Country are admirably adopted to the purpose, Europeans Colonization, in which the white man may labor not only in great safety, but with the certainty of his reaping in vast abundance all the Conforts and enjoyments of life. — This insures the settlement of the fertile and salubrious praries of Upper Texas, by a free, gallant and intelligent race, who are destined to diffuse over a new Region the gems of that civilization and power, which have made My Lord, your Country what She is.

I shall take the earliest occasion to sende you the amended Draft of the Convention you have enclosed me, in order that we may Concur in the profit of a Treaty without delay.

I have the honor to remain with distinguished consideration and respect Your Lordships, most Obedient Servt.

(Signed) J Hamilton.

The Right Honorable
Viscount Palmerston.
&c. &c. &c.

Mr Bee to Secy of State forwarding Certain despatches

Washington Jany 13th 1841.

Hon.
A. S. Lipscomb
Secy. of State of the Republic of Texas.

Sir. — I write you by one of the officers attached to the Commission for running the line — so that it will be February before they Commence operations. (I send by him as far as New Orleans) the Bonds of Mr Dealer Consul at Boston, which has been some time in our possession, the Treaty with England must have put you all in fine spirits, the Loan is the next fringe, and I think the Steamer due in about a week will bring Mr Burnley richly laden for Texas — The Newspapers tell all we know in relation to the next cabinet — The Navy Department has been offered to Mr Preston, but he prefers his seat in the Senate.

Concerning the purchase of Journals, etc, for Texas

I have made a valuable purchase for Texas of one hundred Volumes of the Journals of the House of Commons, and Mr Preston insists upon presenting me with the State trials — This will form the nucleus of a Library very desirable — The Books are rare, and as soon as we all are

to the care of the Collector at Galveston as early as practicable.

Judge Webb. I find failed to be chosen Chief Justice by two votes. As he decided it, I regret his failure, But in a pecuniary point of view his practice is more valuable than the office for which he was a candidate.

How is Gen Hamet, and what hopes of his recovery. My son unites me, he [illegible] were none. — Accompanying this are some valuable reports of Mr Leake, a Gentleman who entertains hopes of one day becoming a citizen of Texas, and who Gen. John Hall encouraged to remain, under the impression that his knowledge and experience as a Lawyer, might be highly useful in some public employment.

Believe me with great esteem

Yours Respectfully

Barnard E Bee.

(Mr Forsyth to Mr Bee)

Department of State

Washington 25th of Jan, 1841.

Mr Forsyth to Mr Bee. Relative to the proper course to pursue the Note of Mr Bee, Chargé d'affaires of Texas, of the 15th inst. Adverting to the forwarding further particulars respecting aggressions of Indians of the United States upon the Citizens and territory of Texas, asking redress for the acts complained of, and intimating an expectation for a more effectual Compliance with the Treaty obligations of the United States upon the subject.

Mr Bee's Communication has been referred to the War Department which, as it has Special Charge of the relations of the Government with Indian Tribes, could alone adopt such measures as might be authorized by law towards fulfilling those obligations of the Government which are complained of by Mr Bee.

It appears from the report of that Department upon the subject, that although the suggestions of Mr Bee have been most attentively considered, the Conclusion arrived at in this instance, like that upon occasions of other similar applications, from agents of Texas accredited to this Government is, that the Executive of the United States, has no legal power, to check, or restrain by force, the voluntary and peaceable migrations of Indians from the United States to any Country whatsoever.

There is nothing in the Spirit or terms of the 33rd article of the Treaty between the United States and Mexico, which Contemplates a case like that referred to.

The sole object of that article was to make it the duty of the parties to do every thing in their power towards preserving peace among the Indians on their frontiers, and towards preventing them from attacking Citizens of either Country, this obligation has hitherto been scrupulously performed by the United States, and the War Department will reiterate its orders to its agents, to prevent Incursions upon any part of Texas, by Indians residing within the territory of the United States, and pursuade them to remain within the limits assigned to them. — The Texian Government must, however, be aware of the impediments which the nature of the Indian Character, their nomadic habits, and the remoteness of the regions which they frequent, will interpose to the success of these well meant designs. — The attention of that Department will cease

petition the United States from engaging as Mercenary Soldiers in the Service of a during the pendency between that Country and Texas.

Proofs of injuries committed by Indians

The proofs of thefts committed by Cherokee Indians, which accompanied Mr Rees note, have been, in accordance with the offer in the Communication from this Department to his Predecessor of the 21st February last, referred to the Commissioner Indian affairs, who will adopt such persuasive measures as may be in his power, to induce that tribe to make amends for those depredations, if, upon proper examination it shall appear that they were committed by Cherokees.

As it regards the case of Mr. Henderson, Mr Rees must be aware that the Diplomatic privilege is amply secured by the Laws of the United States, If from individual ignorance, or any other cause, it is ever violated, legal protection is promptly interposed, and in the case referred to, the benefit of the privilege was obtained.

The undersigned avails himself of the occasion, to renew to Mr Rees the assurance of his great consideration.

(Signed) John Forsyth.

Legation of Texas
Washington Jany 26th 1841.

Mr Rees to Secy of State communicating the decision

Sir:-

After much delay, Mr Forsyth has made a reply (Copy of which I subjoin) to my Communication of 15th December, and also touched in courteous language of the U.S. yet leaving us precisely where we were. The United States think they scrupulous Government performed their duty and reiterate their orders to their agents to prevent upon mutually, trespasses etc. I would have replied, but as the administration is so near at an end, refers to I have thought on the whole, we had better postpone it for the New administration Hend, and should any infraction again occur, we can with great propriety, again recur to the subject, and press our views — You will see that in the case of General Henderson, Mr Forsyth thinks every satisfaction has been accorded, in the decision of the Court in his favor.

We look for Mr Bunby daily, who came out in the last Steam Ship at Boston — Gen Hamilton will not return until February.

Respectfully, Your Obt Servt

(Signed)

Genl Memr. S Lipscomb
Secy of State. Texas.

Barnard E. Bee.

Legation of the United States
Tuesday Morning Feby 3rd 1841.

Mr Rees to Secy of State Requesting copy of Treaty between England and Texas

Sir:

The Undersigned, most respectfully requests of the acting Secretary of State, a certified Copy of the Convention between the Kingdom of Great Britain and the Republic of Texas.

An early compliance with this request, will place the undersigned under renewed obligations to the acting Secretary.

To
Joseph Waples Esqr.
Acting Secy. of State
of the Republic of Texas.

Geo. M Bibb

Mr Flood to Secy of State inviting for recep of Treaty between Texas and England

Legation of the United States
City of Austin Feby 1841.

The Undersigned regrets to say, he was disappointed in the failure of a Compliance he made to the Acting Secretary of State, for a Certified Copy of the Conventional Treaty between the Kingdom of Great Britain and the Republic of Texas.

The undersigned is led to believe, that the interest of his Country is involved in the Stipulations of England and Texas, and he can see no reason, after a confirmation by the Senate and an approval of the Executive, why the Treaty should remain in quietude.

The undersigned renews his request to the Acting Secretary of State, for a copy of the Conventional Treaty, alluded to — and hopes he can obtain it by the universal and acknowledged Comity of Nations.

The undersigned most respectfully requests the Acting Secretary State, to accept the assurances of the Continued regard and high esteem of the Chargé d'affaires of the United States, to the Republic of Texas, and who, with sentiments of great respect sustains himself

Very Respectfully, His Obt Servt

Geo H Flood

&c.

Joseph Waples Esqr.
Acting Secy of State
Republic of Texas

Mr Flood to Secy of State soliciting the surrender of Wm McDuell charged with being a defaulter as P Master in N Orleans

Legation of the U.S.
Austin Feby 12th 1841.

Sir

I am instructed by His Excellency the President of the United States through the Department of States at the City of Washington to represent to Your Excellency, that "William McDuell late Post Master of New Orleans has proved a defaulter to the Government of the United States and is now in Texas. — A Copy of the indictment found by the Grand Jurors of the Eastern District of Louisiana is herewith transmitted to Your Excellency

I am further instructed to say to your Excellency "that the Executive of the United States is not empowered to deliver criminals to foreign Governments in the absence of Treaty stipulations to that effect." but he is unofficially apprised of the willingness of the Government of Texas, to deliver McDuell into the hands of justice.

The Government of the United States feels a deep solicitude on this subject and if your Excellency Complies with this request, I am further instructed to say His Excellency the President of the United States will feel a due sense of the obligation — The undersigned cannot close this communication without expressing to His Excellency his wish for his happiness, personally — and the solicitude he feels for the perpetuity of the friendly relations existing between the Republic of Texas and the United States of North America — with sentiments of great Consideration, the undersigned has the honor to subscribe himself

Very Respectfully

Geo H Flood.

To His Excellency
David G Burnet
President of the Republic of Texas

Bill of Indictment found by a Grand jury of the U. States against Wm. McQueen.

United States of America
Eastern District of Louisiana } Be it remembered that at a Special session in and for the Eastern District of Louisiana, aforesaide, of the Circuit Court of the United States for the ninth judicial Circuit on the twenty fourth day of November in the year of our Lorde one thousande Eight hundrede and forty by the oath of James L Bogart, Isaac M Hawthorn, Joseph C. Whitall, John N Lavillebeuve, Samuel Hermann, Junior, Hamilton M. Wright, Jacobim Kohn, Samuel Locke, John Morgan Hall, Meaud Prieur, Federick Darrive, William A. Gasquet, Peter Conrey Junior, George W. Huntington Peter Laidlaw, grande jurors, goode and lawful men of the District aforesaide now here sworn and charged to enquire for the body of saide District it is presented in manner and forme following, that is to say;

Eastern District of Louisiana ss. The grande jurors of the United States in and for the Eastern District of Louisiande, upon their oaths present that heretofore, to Wit, after the fourth day of July, in the year of our Lorde one thousande eight hundrede and forty, — and on the saide month of July, in the yea of our Lorde, one thousande eight hundrede and forty, within the saide Eastern Distric of Louisiana, William McQueen was the lawful Postmaster at New Orleans of the United States of America aforesaide, and Connected as saide Postmaster with the Post-office Department of the saide United States, and so being saide Postmas he the saide McQueen did then and there Convert to his own use, and did feloniously embezzle the sum of one thousande dollars the property of the saide United States, then and there being in his official Custody, and he then and there as such Postmaster being intrusted with the safe Keeping thereof, Contrary to the form of the Statute in such Cases made and provided, and against the peace and dignity of the United States of America aforesaide. — and the Grande jurors on their oath aforesaide do further present that heretofore to wit, on or about the fourth day of July in the Year of our Lorde, one thousande eight hundrede and forty, and in the month of august in the year of our Lorde, one thousande eight hundrede and forty, and on the fifth day of saide month of August, within the saide Eastern District of Louisiana, William McQueen was the lawful Postmaster at New Orleans, of the United States of America aforesaide, and Connected as saide Post-Master with the Post-office Departmen of saide United States, and so being saide Post-Master, he the saide McQueen did then and there Convert to his own use, and did feloniously embezzle th sum of one thousande dollars, the property of the saide United States, then a there being in his official Custody and he then and there as such Postmast being intrusted with the safe Keeping thereof Contrary to the form of the St in such case made and provided, and against the peace and dignity of the United States of America aforesaide.

(Signed) Thomas Slidell, Atty. of the United States for the Eastern District of Louisiana.

"A True Bill" signed James L Bogart foreman. New Orleans Nov. 24th 184 Endorsed — Filed Nov. 24th/40 — Signed) Duncan N Skinner Clerk

Clerks office, Circuit Court of the United States, Ninth Circuit, Ea District of Louisiana —

I do hereby Certify the foregoing to be a true Copy of the Original on file in this office

Witness my hand and the seal of said Court at New Orleans this Sixteenth day of December 1840

(Signed) Prune

Mr Flood to Secy of State concerning Wm McQueen

Legation of the U.S.
Austin February 14th 1841.

Sir!—

On the 12th of the present instant I made the honor to address to your Excellency a note embracing the contents of a despatch from his Excellency the President of the United States communicated to me through the Depart. of State at Washington, in relation to the surrender of William McQueen a fugitive from justice in the government of the United States and now in the Republic of Texas.

The official act of Mr Mayfield not satisfactory—

In my note to Your Excellency I expressed the deep apparent solicitude the Government of the United States felt on this subject and the unusual manner of communication would not fail to convince you of the fact.

In answer to my communication, I received a note, dated the 12th February from the "Department of State" and signed "J S Mayfield".

I am not officially advised that "J S Mayfield" is authorised to respond to a letter directed by me to his Excellency the President of the Republic of Texas— and I again renew the request I made to his Excellency in my note of the 12th Inst.

I again assure his Excellency of my earnest desire and deep solicitude for the continued friendly relations between the Republic of Texas and the Government of the United States of North America— and hope no small impediment will mar what is mutually advantageous.

With sentiments of the highest consideration I have the honor to be very Respectfully.

Geo M Flood

To
His Excellency
David G Burnet—
President &c &c.

Legation of the U.S.
Repbl of Texas Feb. 15th 1841.

Mr Flood to Secy of State announcing the appointment of Mr Hayes as Consular Agent—

Sir—

The Consul of the United States for the Port of Matagorda Bay has officially informed me of the appointment of John Hayes Esqr as Consular Agent for the Town of Linville Port of Lavaccas.

With sentiments of great respect, I have the honor to be

Very Respectfully
Your Obedt Servant—
Geo M Flood.

To the Hon
James S Mayfield
Secy of State &c &c.

Legation of the U.S.
Feby 18th 1841.

Mr Flood to Secy of State stating to him appointment of Mr Hayes as Consular Agent—

Sir!—

I have the honor to acknowledge your note of the 16th instant, in answer to mine of the 15th which apprised your Department of the appointment of John Hayes Esqr as Consular agent for the Port of Lavaccas by the Consul of the United States for the Port of Matagorda.

I should be derilect in the duty I owe to my Government, as well as discourteous to His Excellency the President of the Republic of Texas, and His Hon the Secretary of State, were I not to acknowledge the obligation we are under for the important information contained in your note, and which I heretofore thought was unknown to the Diplomatic code.

Singular as the arrival may seem to the Hon Secretary of State of the Republic of Texas, I was not aware, until his welcome favor of the 16th That a Vice Consul or Consular Agent, appointed by a Consul

Chargé d' affaires for the usual Exequatur.

That these forms were necessary in obtaining the recognition of the Consul, i Government of the United States was well aware— but were unapprised until the reception of your note, that the recognition of the Secretary or Clerk of the Consulate required similar form.

With high consideration of respect— I have the honor to be.

Very Respectfully
Your Obt Servt.
Geo M Flood.

To the Hon.
Jas S Mayfield
Secretary of State &c &c.

Legation of the United States
Feby 18th 1841.

Sir!—

I have the honor to herewith transmit you the Commission of Henry D Gale Esqr. appointed Consul of the United States for the Port of Velasco, in Texas.

Be pleased to send me the Usual Exequatur with the return of the Commission

To the Hon
Jas S Mayfield
Secy of State &c &c

Very Respectfully. Your Obt Servt.
Geo. M Flood.

A S Burnley to Secy of State announcing his arrival at Houston

Houston Feby 21st 1841.

To His Excellency
David G Burnet—

Dear Sir— You have no doubt seen the letter which I had the honor to address to Mr Starr late Secretary of the Treasury, from Washington City, after the date of that letter, I proceeded with all possible despatch for Texas and indulged the hope that I should reach Austin before the adjournment of Congress— to accomplish which I took the route through Carolina, Georgia, and Alabama, rather than through West; down the Ohio & Mississippi— altho my family from whom I have been separated for near twelve months, were in Kentucky owing to the dreadful condition of the roads, produced by about six weeks of incessant rain, I was about twice as long in reaching New Orleans, as I would have been under more favorable circumstances— In New Orleans I was detained three days waiting for a conveyance— and on reaching Galveston received the first certain intelligence of the adjournment of Congress— By the first boat from Galveston I came to this place intending to proceed to Austin this morning but upon reflection, I have determined that it is my duty (and do what you would prefer I should do), to write and send on my papers, by a special Messenger & return immediately to New Orleans— My letter to Mr Starr will have informed you that I expect to receive letters from Gen. Hamilton, which will reach N Orleans, from the 1st to the 8th of March containing authority to draw for advance on an Loan, my letter also gives the reasons upon which I base expectation of receiving the authority to draw, and do I am sorry that I cannot in candor, express more confidence of success than my last letter expressed. Still as there is reasonable grounds to hope that the authority to draw for an advance will come out, I have concluded you would prefer I should return to New Orleans to receive it, if it comes, & to release the money for the country with the least delay, rather than to loose ten or twelve days going to, and returning from Austin. I say what I can perhaps as well write— Under these circumstances I hope you approve my determination to return to New Orleans—

Concerning the Negotiation of the Loan

The subject of most importance— in reference to the Loan— to which I wish to call the attention of your Excellency (in the sending of some intelligent gentleman [illegible] to Mexico) is the basis of the Loan

Concerning Mexico and the Indemnity Treaty with England and the prospects of Recognition

I have received from Mexico, I do not believe a single intelligent man of the Country, indulges the expectation seriously of ever recapturing Texas — a nothing but mortified vanity induces them to withhold their acknowledgment of our Independence — The Indemnity Treaty affords them an opportunity of abandoning all threats even of designs upon the Country, without violence to their vanity and self-love — and I cannot but believe, that under the powerful influence and Co-operation of the British Government, and of British Bondholders there will be little difficulty in establishing peace upon such terms, and with such a boundary, as will be satisfactory to Texas — Besides the general reasons for desiring a pacification with Mexico, I will say, with a confidence — amounting almost to Certainty — that it would ensure the Negotiation of the loan in thirty days after it was known in London — and if anything short of a pacification can produce a Negotiation of Loan, it will be the receipt of the intelligence that Texas had in good faith ratified the Indemnity Treaty and promptly sent a minister to Mexico to Treat for peace —

prospects of advance upon the loan

In fact I would not be at all surprised to learn from Gen Hamilton that an advance had been made upon Condition of the ratification by Texas of the Indemnity Treaty, and of her sending a Minister to Mexico. — And in any event, if we should fail in another effort, to procure peace with the Mother Country we shall, in the eyes of the world, be doubly armed by the justness of our cause, when we may appeal to force. —

Some gentleman has suggested to me that the Government had probably determined, to wait until they heard from the British Minister at Mexico, or the Mexican Government, that they were willing to treat for peace, upon the basis of the Indemnity Treaty, after they had been notified by the British Minister of the formation of such a Treaty. I do not know whether this suggestion is correct or not, if it is I would respectfully suggest to your Excellency that you will probably receive no information from Mexico on the subject for some time — as they will be ignorant of the ratification by Texas of the Indemnity Treaty, and they will be expecting a Minister or Commissioner from Texas to propose, as a matter of Course, upon what terms and with what boundary we will be willing to make peace and pay the proposed Indemnity.

Relating to sending Minister to Mexico — it influenced matters in general relating to foreign matters Negotiation &c &c

X By the Messenger who takes this letter I send to Genl Lamar a long Communication, from Genl Hamilton, which Genl L will probably forward to your Excellency — In that Communication I am aware Genl Hamilton's partiality has induced him to recommend me strongly as a fit person to be sent to Mexico — on that subject allow me to say — that for the purpose of increasing the probabilities of procuring an advance, I promised to leave London in three days Notice to proceed directly to Texas, to urge upon the Government here, the things I am attempting to urge by this letter, and if necessary to go to Mexico, if desired — believing at the time I should not be desired to go — and knowing it would not be necessary, when so many others, more capable, were willing to go — My absence for twelve Months from my family, and the possibility that I may be required to return to Europe to close this business of the Loan, which Genl Hamilton may not be able to remain long enough to close, would render it impossible for me to go to Mexico at this time — and I hope you will Consider the fact, that I know Gen Hamilton has possessed my pretensions on the President, as a sufficient apology for my saying I could not go to Mexico when I have not been asked to do so, and when you would probably never have thought of asking me — I am however much gratified to learn, it was

distinguished Mr. G. [illegible] Mexico

in the opinion, that it is proper Judge Webb or any other Citizen enjoying your confidence shall be sent to Mexico immediately, and the want of funds should be an insuperable obstacle to the Mission — and you will inform me by the return of the Messenger, direct to New Orleans — the least amount upon which such a Mission can be undertaken — will, even if we fail to get the advance expected — make the effort in New Orleans — raise the money myself — and if the sum is not too large, I feel confident I can do it, I beg you to reduce the sum to the least amount which will suffice — & to give me information, by return of the Messenger, whether you have determined to send any one to Mexico or not. —

Your Excellency will observe by a reference to Gen Hamilton's letter to the Sec of State, which accompanies this, that he anticipates procuring some aid from the French Government — if necessary, in negotiating the Loan in France — I would beg, a contrary opinion with diffidence and with great deference to Gen H's letter judge but having spent part of the summer in Paris attempting to further the objects of our Mission, I feel that it is due to the Government to express the opinion I have formed on a subject on which you will feel so much interest — I am satisfied the French Government entertains the most friendly feelings towards Texas, and in a time of quiet and prosperity, for the Commercial advantages we might offer them would be strongly disposed to grant us the aids we desire — but when, as at present, they have incurred enormous expenses in preparation for a general war against all Europe, and are themselves at this moment applicants for a larger loan than any other power — and when the French King is himself threatened with the loss of a throne I do not believe he will take the responsibility of committing his Government for us, without the previous sanction of Legislative authority — to obtain which, in the present unsettled political & financial condition of the Country, I consider perfectly hopeless — During the summer I knew it could not be done and I discharge my duty by expressing the opinion that it cannot now be done — tho I shall be most happy to finde myself mistaken, and am perfectly satisfied that if untiring perseverance and Consumate address can accomplish the object, it will be accomplished by General Hamilton.

I send you herewith a Treaty which Gen Hamilton was obliged to conclude with Lord Palmerston in relation to the African Slave Trade, and I refer you to his letter to the Sec of State herewith, for explanation in relation thereto — to which I do not see that I can add any thing — With the Constitutional denunciation of Traffic in our Constitution, I do not see how we can well refuse to enter into such a Treaty — It was necessary to sustain the British Ministers in the bold measure recognizing our Independence, in defiance of the fanaticism and active efforts of the powerful party of abolitionist in England — Its ratification will defeat their slanders, and silence much of their opposition — while a refusal to ratify will give them a triumph — will be the grounds for additional slanders misrepresentations, and deeply prejudice our Country throughout all Europe. You will also finde the Treaty so guarded, that I think the most sensitive and fastidious will not object to it. — *

I do not know whether you will Consider it of sufficient importance to call the Senate, to submit this treaty to them, but if you do not, I would suggest the propriety of keeping it from the public until the Senate meets — as Consideration might be prejudiced by misrepresentation and unfair excitement.

The letters to Judge Lipscomb which are sent herewith [illegible] at this place. — The other letters for the different persons herewith, were placed on my desk [illegible] Austin. — Gen Hamilton will [illegible] the loan in

* Send you also herewith the opinion of the Solicitor of the Treasury of England that the bonds of an unrecognized Government in England — Consequently that our Bonds would not be subject to Stamp Duties

I will write you again, and if I am authorized to draw for an advance, will send the information by a Special Messenger, and probably return to Texas myself, as soon as I have negotiated the drafts. —

I am successful in closing our business thus far. I hope our efforts to serve have met the approbation of the Government, and that we shall secure its continuance by the manner in which we shall perform what remains to be done

With sentiments of distinguished Consideration I have the honor to be, Your Obt Servt

A. T. Burnley.

Paris Feby 1st 1841.

To the Hon
Abner S Lipscomb
Secy of State of the Republic of Texas.

Mr. Hamilton to Secy of State news of the Commencement of Hostilities between Texas and Mexico its effect on Europe upon our Negotiations for the Loan

Sir:- Since the departure of my colleague Mr Burnley I have to report — That on the arrival of the Halifax Steamer whose mail left New York on the 1st January advices were received of the commencement of active hostilities between Texas and Mexico, and the entire failure of Mr Treat's Mission. — I am sorry to say that this intelligence had a tendency to suspend my Negotiations with the London House with whom I was in Treaty. — as unpropitious as this news was, it was of Comparatively little weight to the publication in the London prints, of a resolution which it was said had actually passed the Congress of Texas, holding out the promise of unlicenced booty to whomsoever in an Army of Five thousand men would invade Mexico. — altho Arista's proclamation and other Circumstances would have amply justified this, or any other retaliatory measures, yet it came in little unfortunately, for if the intelligence from Texas and Mexico, had been of a different cast, I think, I should without failure have obtained an advance of a Million, with a certainty of a Negotiation of the residue of the Loan in a Short period. —

Favorable prospects for a Negotiation with Lafitte &co

Thus situated, as not a moment was to be lost, if you were "rally about" to go to war, I hastened over to France, and have commenced here with the assistance of active influential persons, a Negotiation with the House and Bank of Lafitte &co who are giving a thorough and cordial Consideration of the securities and terms of the loan, with impressions I think, favorable to it. — I think my prospects altogether auspicious, and if Mr Lafitte does take my Negotiation up, it will be carried through very promptly and for the whole amount. —

Negotiations opened with the French Government to obtain their guarantee upon our bonds

In the mean time I have opened a Negotiation with the French Government, and herewith do myself the honor of transmitting a Copy of my despatch — The Conseil of His Majesty will I believe meet in the Course of three or four days, for the purpose of coming to some decision on my propositions. — If I could obtain the guarantee of the French Govt it would be worth two Millions to Texas. — I think the Government will have to do something, and I mean that something shall be effected, or I will not except it as an equivalent, for what we have done for French Industry and Commerce. They are entirely engaged with fortification question, but if they once go into the subject of the future relations of Texas, with France, or rather what they may be made, I confidently hope for the most essential aide.

From the preliminary arrangements Mr Burnley and myself have made with Certain Lands and Emigrating Companies, I feel entirely satisfied that a debt of Ten Millions, Texas can pay, in Ten years, without imposing a dollar Taxation upon her people.

by a judicious Sale of public Lands in Great Britain, and on the Continent.— Mr Burnley will have had time fully to develope his views, of the valuable mass of fact has accumulated on this subject.

Concerning the Report for the purchase of the Gavel Not being made

I learn in a letter from Philidelphia that the Secretary of the Navy has an animadverse in terms of censure on the conduct of Messrs Burnley & Brancker, for not having made a report on the account-Current-and Vouchers in reference to the purchase of the Gavel. I was surprised that the accounts were not received.— I beg leave to offer you the following Statement of facts, which I will thank you forthwith to communicate to Mr Cooke, who I presume still fills that Department.

explanations

On June 1839 after Messrs Burnley and Brancker had audited the account just as Mr Burnley was going to Europe, he gave me a package carefully sealed and signed by Mr Brancker & himself, containing the accounts and Vouchers, which I placed in the hands of Col Drayton to take to Philidelphia, to be given either to Mr Biddle or Mr Dunlap, the President of the bank of the U.S. to be placed in the Vaults of the Bank, with a request that they should beg Gen Dunlap, the Texan Minister to send them on by the first safe opportunity to Texas.

They must therefore be safely in the vaults of the institution in question I had supposed they were long since in Texas— But you will see that no censure blame attaches to either Mr Burnley or Mr Brancker.

Remarks Relative to Recovery of the Loan Commissioners

A Correspondent from New York, writes me, that a rumor prevailed there on authority of a Houston paper that the "Loan Commissioners were recalled— and I have received no official notification of any such fact, or even seen the News-paper paragraph to which reference is made. I shall continue to use my strenuous exertions to serve the Republic and fulfil the objects of my Mission, until officially apprised that the above rumor is invested with official authenticity.— It certainly would be a mortifying circumstance, that after procuring with intense labor those preliminary recognitions essential to success, and just on the eve of consumating it, that the very Government most to be served by the establishment of its public credit, should defeat the measure, so essential to its own interests and prosperity.— I cannot believe a step so precipitate can be designed by Congress.

I shall say nothing of my sacrifices, labor, and anxious cautions of the last ten years to effect these objects, in which I have neglected my own affairs, deprived myself of the society of my wife and children, and advanced my own money freely on all occasions for your Government.

I shall say nothing of these things, because they belong to consideration of a personal Character.— Whilst my Commission lasts, count on my cautious exertions to promote the interests and honor of Texas.—

I remain Sir, with the highest Consideration, Your Obt.

J Hamilton.

Mr Hamilton to Mr Guizot Secy &c &c Soliciting their guarantee and sanctions for negotiating the Loan

Paris January 21st 1841.

To His Excellency
Mr Guizot
Secy of State of Foreign affairs,
to His Majesty the King of the French.

Sir.— When I had the
in Conjunction with General Henderson, to participate in the
which resulted in the Recognition of the Republic of Texas,
of His Majesty the King of the French, and in the conse
the Commercial Treaty between the respective Gov
Marshall Soult, the then Minister
which suited both his own char
represented, insist
to a

Concerning the duties on certain articles

Nevertheless communicated to me how very acceptable it would be to his Majesty's Government if the import into Texas of French Wines Brandies, ande silks, coulde be facilitated by some favorable discrimination ande for these advantages, the French Government wouldde aide me in the negotiation of the publie Loan for the Republic of Texas with which I am chargedd.—

Ihave the honor to transmit-yow a copy of a letter Ireceivedd from His Excellency the Marshall, of the conclusion of our Negotiations.—

The Republic of Texas, in consequence both of the duties entirely on French Wines, ande one half the duties on French Brandies ande silks if importedd in French or Texian Vessels.—

Ihadd hopedd to have been able to have effectedd the negotiation of the Loan for the Republic of Texas without invoking the aide of His Majesty's Govt. but the condition of the money market in Europe, is such, that I feel this is impracticable without such assistance.

Ido not come fowardd however, to ask the free payment of a publie debt, because I appreciate too highly the magnanimity of His Majesty the King of the French, ande the generous Confidence of Marshall Soult, to place my Claim on any such footing.— But as Ibelieve the Government of His Majesty, can aide the Republic of Texas most essentially, ande with a security the most perfect, Ibeg to inquire of your Excellency, whether if the concession Texas has madde to France, are not deemedd a sufficient equivalent, what further advantages wouldd be so regarddd as a just Compensation, to procure the guarantee of the Government of His Majesty on the Bonds of the Republic of Texas for Seven Millions of dollars? Iprefer to aguarantee as the only really effectual mode by which, in the words of Marshall Soult, the Government of His Majesty couldd aide the Republic of Texas in the Negotiation of its Loan.

What is asked of the French Government

For this guarantee the Republic of Texas has to offer as its security— a Territory as large as the Kingdom of France The good faith of a Law-abiding ande debt-paying people— A publie domain Comprising 150 Millions of Acres of the finest land on the habitable globe, of which the increase of Numbers on which her population is augmenting in a ratio far exceeding, in the most thriving of the western States of the American Union.

Security offered for the guarantee solicited of the French Govt.

But without the sale of an acre of her— publie domain her revenues the moment her currency is placedd on a sounde basis (which will be effectedd by the negotiation of the Loan with which Iam chargedd) will be quite sufficient to defray her Naval, Military, ande Civil expenses, pay the interest on the Loan Ipropose to Negotiate, ande likewise constitute a permanent ande accumulating sinking fundd for the redemption of the principal.

The command of the gulf by the fleet of Texas— The recent success of the Federalist (who are intirely favorable to the recognition of the Independence of Texas by Mexico) ande the late Treaty which Ihave Concludedd with Great-Britain, by which the immediate yealous ande cordial mediation of England is securedd between Texas ande Mexico, insure ande early pacification between the two countries.

Resources of Texas.

That yow may form a just estimate of the resources of Texas, Ibeg leave to transmit-yow the enclosedd circular to which Iinvite your attention.

My powers are plenary to treat on the subject Ipropose, (the writer) to offer to France the largest — ande Ihave Compensation as security which Ibelieve will be deemedd undoubtedd for the proposedd guarantee Indeedd when it is Considerdd that upwardds of two Millions of the inhabitants of the Northern provinces of Mexico, ande scarcely a less number of the citizens of the United States of America, are destinedd to take their supplies of Articles of Foreign import through Texas, from the very moderate imposts it is in Comparison with the former States, I am sure the considera-

I have to offer will be regarded as of no small Value — to say nothing of the Esteem which will be cherished by the people of Texas, for their essential aide, which cannot confer a firm amity to your relations with a country destined to be an important State in family of American Nations.

I have the honor to remain with distinguished Consideration, Your Excellency

Most obt Servt.

J Hamilton.

Mr Saligny to Secy of State communicating a violation of the Laws of nations by Mr Bullock for committing an assault and battery upon one of his Domestic

Legation of France in Texas

Austin Feby 19th 1841

To the Hon

Secy of State, Austin.

Sir:— It is with profounde regret that I finde myself forceed to call your attention to facts of an extremely grave nature of which this City was this morning the theatre.— From information entitled to credit, which has been furnished me, the following are the details of this deplorable affair.

One of the people belonging to my house, Mr Eugene Pluyette when passing in the street, was without any provocation on his part, assaulted by a man named Bullock a resident of this City, who having first assailed him by throwing stones, then threw himself upon him with a stick, at the same time making use of all kinds of menace and of — and atrocious imprecations.— My domestic after having repulsed successively the attacks of Bullock, wished, with a moderation worthy of praise, to pursue his way; but this miserable man without the sang froide, an presence of mind of my domestic, undertook to follow him, and the affray was commenced again in a more serious manner.

These acts, Sir, constitute one of the most scandalous and outrageous violations of the Laws of Nations, and they assume a much more serious aspect when, if considered that they are but the realization of menaces made long time in advance, and that even (as I have but this moment learned) they have already at two different times been preceded by occurrences of the same nature.—

I think I ought to add for your information, that Mr Eugene Pluyette who has been for a long time in my service, has always been remarkable, no only for his amiable and inoffensive Character, but for irreproachable probity.

It appears on the Contrary that this man called Bullock is very far, according to several reports, from enjoying a spotless reputation. Of all the duties incumbent upon a nation the most sacred without dispute is that of ensuring to the Representatives of other and friendly nations, the respect and protection to which they are entitled — I know too well the sentiments which animate the Texian Government, not to be certain that it will be ready to fulfil this duty on every occasion; and in this particular case under consideration, I am convinced that it will act with much more readiness, to punish with severity the author of this gross and brutal attack upon the inviolable principle of the Laws of Nations, since it has been directed against the Representative of a power, which has been the first in Europe, to extend to Texas the hand of friendship, and which has not ceased to give to this young Republic the most signal evidences of solicitude and sympathy.

I beg you to accept Sir, the assurances of the high Consideration with which I have the honor to be,

Your very Humble & Obt. Servt

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To

His Excellency

David G. Burnet

President of the Republic of Texas.

City of Austin

20th February 1841.

The Memorial of Mr Pillans

Your Memorialist would most respectfully represent to your Excellency that in pursuance of his lawful business, which since he has resided in Austin, has been to accomodate with boards travellers and other persons, That the Charge d'affaires of France, Mr Saligny, has become his debtor to the amount of One hundred and seventy dollars and seventy five Cents (f/170.75/100). par Money (or also f/(111.75/100) Texas promissory Notes, it being a balance of money advanced for medicines &c during a protracted spell of sickness last Summer, when he was unable himself to procure them in person) Your Memorialist have resorted to sundry ways and means both by application in person, and the mediation of disinterested friends, to obtain his just rights, but has failed, and for the honor of France, who was amongst the first to acknowledge our Independence, as well as for the good of his adopted Country, he has seen fit, thus far to subject himself to great inconvenience in patiently submitting to the detention of his just rights from him.

Your Memorialist would further state, that there is no reasonable cause why his debtor should restrain from him his lawful rights. the debt originated on a bill for board, Horse keeping, Burial expenses of one of his Negroes, Servants hire, for attendance in sickness &c, and prices in said bill charged the same as other gentleman boarding at the same time were charged, which have long since been liquidated. — Your Memorialist has never asked of his debtor, nor does he wish for more than his just rights; But the station occupied by the debtor of your Memorialist places him in a situation, that the laws for the benefit of Creditors cannot reach him. — Your Memorialist therefore, with great reluctance would respectfully submit his cause of Complaint to Your Excellency for redress.

Your Memorialist further states, that soon after his debtor refused payment (for the first time) that he has suffered detriment in the loss of Hogs, which has been most maliciously and wantonly killed, with pitchforks and pistols, used by his debtor and a Frenchman in his employ called Eugene, or by Servants under his debtors directions. — He supposes the number of hogs killed by them to be between 15 and 25, the value of which, he thinks, would be about One hundred dollars, par Funds. —

Your Memorialist sheweth further that the fence of his debtor is not a lawful one, it being barely ever kept up. —

Your Memorialist said above, that his hogs were wantonly and maliciously killed, his reasons for the declaration is, that his debtor was not at all injured or incommoded, his hogs occasionally, as well as the hogs of other Neighbors only going under the horse trough of his debtor, fed for the most part in an almost open lot, there being no garden or kitchen that they either molested or disturbed.

Your Memorialist is sure, that had another man, amenable to the laws of this Republic, done like act, he could have recovered in a court of Justice, the value of his property, having witness abundant to prove the condition of his fence, or railing, as well as the killing of his stock. —

An apology is due Your Excellency from Your Memorialist, for the additional burden he is transferring on your already responsible and arduous duties, in which Your Excellency is engaged for Our

your Memorialist as a plain Citizen of the Republic over which Your Excelle presides, knows no other peaceable means of redress, and looks, and confidently expects of you to see justice done him. —

Your Memorialist is aware of the disagreeable task he is imposing on Your Excellency, he well knows that the diplomatic agent of chivalrous France (who entitledes to it) shoulde be treated with great dignity and respect; a sense of propriet as well as decorum; also dictates to him, that he shoulde not be hasty or precipitate of forming conclusions or actions towards one occupying the station of his Debtor.

Your Memorialist considers he has not been hasty, payment of his debt having been defered for six monthes or more, and suffering loss of his Hogs almost weekly.

Your Memorialist respectfully asks of you as the Chief Magistrate of our Country, protection in his rights, as his debtor is not amenable to our Laws) and he is constrained confidently to expect, and he fully believes you will have justice done to one even of your humblest citizens.

And your Memorialist will ever, as in duty bounde pray &c.

Richard Bullock.

Legation of France in Texas
Austin Febry 21st 1841.

The Hon
Mr. Mayfield
Secretary of State.

Mr Saligny to Secy of State Relative to Document of Mr Bullock.

Sir. — I have received the note which you did me the honor to address me yesterday, in answer to mine dated the day of Mar preceding, and I see by the annexed Copy of your letter to the District-Attorne Mr Jewett, that you have given orders to that officer in relation to the subject of my communication aforesaide, to take the legal measures prescribed by International Laws and Customs, as well as by the rules of your Municipal Law.

That a Nation must be free to adopt, for the execution of its Laws such judici forms as appear convenient for it, is without doubt, a right which cannot b contested; but it cannot exercise this prerogative in that which concerns other Natio except on the condition of not making any attack upon the principles of the Law of Nations — that Supreme Law of international relations — and of not adoptin any rules which shall render those imprescriptible principles, vain and impossi of application, thus depriving other Nations of the means of obtaining redres for their just complaints. — This is in fine Sir, on my part but a general reflection for although I do not know the precise terms of the Law adopted by the last Congress for the purpose ensuring to the Ministers of foreign powers, the protecti which is due to them (the Law I believe has not yet been published), I do not doubt for a single moment, that the Texan Government has the the power as well as the disposition, to cause the sacred Laws which control the mutu relations of all Civilized people, to be respected on every occasion. —

I cannot refrain however from remarking (en passant) that it is impos for me to comprehend or to admit, that there can be any thing in common be a question of international Law, and the Municipal regulations of the of Texas.

In relation to the remark contained in the last paragraph Note, I would ask leave, Sir, to submit to you an observation.

There is in fact a custom that a foreign Minister of the Government to which he is an official li

formality, which among other things, has for its ende to prevent that individual guilty of a violation of the privileges and immunities of Public characters, cannot pleade in excuse that he was ignorant of the official character of the persons attackede by him;— If, I say, this formality has been omitted from any motive whatever, this omission does not destroy or impair in the least, the right of a Minister and of the people of his household to seek reparation for violence committed upon them, when it is duly proved that their character was perfectly known to the offender.— Now in the matter under consideration, it would be not only be impossible to deny that Mr Bullock knew Eugene Pluyette to be one of the domestics of my house; but it can no less be doubted, and the Texian Government ought to be informed of it as well as any one it may concern, what course to pursue in this affair, that it was even on account of this quality of Domestic of the Chargé d'affaires of France, that Pluyette has been three times on the part of Mr Bullock, the victim of infamous and premeditated outrage.

I will not conclude this note without representing to you again, that it is a matter of extreme urgency for the interests of our respective Governments that the attempts of the said Bullock which has rendered him liable, should receive a prompt and exemplary punishment:— This individual who has by no means restrained himself, as you remark in your instructions to Mr Jewett, to provoking Mr Pluyette, but who has attacked him on three different days, sometimes by throwing stones sometimes with a stick, and even with a hatchet, inflicting upon him each time wounds more or less serious, has since yesterday, again used towards him horrible threats.— In consequence of which, I have therefore thought it proper, to order my servant never to go out without being armed, and I have expressly enjoined him to make use of his arms, to repulse any new outrages which Mr Bullock may attempt to commit upon him.—

If then the Texian Government should not take, without delay, the necessary measures to effect the punishment of Mr Bullock, it is to be apprehended that we shall soon have to deplore new excesses, and that this affair already so much to be regretted, may assume a character still more serious.— But I repeat I have entire persuasion that your Government will act in this matter with promptitude and energy, and that the reparation due to outraged France will not be long delayed.

I beg you to accept Sir, the assurance of the high consideration with which I am. Your Very humble and Obedient Servant

A De Saligny

City of Austin
Feby 23rd 1841.

Mr Jewett
Sec of State
Relative to
steps taken by
him to bring
Mr Bullock to
trial for an
alleged violation
of the
Laws of etiquette and
of the

Sir,

In conformity to your instructions of the 20th Inst relative to an alledged affray provoked and engaged in by Mr Richard Bullock, with one Mr Eugene Pluyette, a servant of the Hon A De Saligny Chargé d'affaires of France near the Government of Texas. I have filed an official information concerning the affair before the Hon A Hutchinson one of our District Judges, and associate Justice of the Supreme Court of the Republic— As by the Law of Nations, Foreign Ministers their Laws of retinue and suite, are not amenable to the civil or Criminal Jurisdiction of the Government, to which they are accredited.— I have therefore to
[illegible] that you would not [illegible]

proceeding, in order that he may furnish any testimony in his possession, that he may deem proper, and to permit the member of his household, upon whom the alledged assault was committed, to appear before the Honorable Judge, and give his testimony concerning the offence which has been made the subject of complaint.

Mr Bullock, the citizen against whom charges have been preferred, by the Hon. Charge d'affaires, is cited to appear before the Hon Judge at the Senate Chamber tomorrow, at 3 oclock P.M. at which time and place an investigation of the affair will be had, and such proceedings adopted as may appertain to law and Justice.—

I have the honor to be, with the highest respect
Your Obt Servt

Henry J Jewett
Dist Atty 3 Jud Dist

Hon
J. S. Mayfield
Secy of State.

Mr Saligny to Secy of State Relative to the comment of Mr Bullock

Legation of France en Texas
Austin Feby 23rd 1841.

Sir,

Your Note of yesterday enclosing a copy of a letter from Mr Jewett to your Department, dated the same day, was delivered to me late in the evening, and I hasten to acknowledge its receipt.

I should have failed in justice to the Texian Government if I had a moment of its sincere desire to cause to be respected on all occasions, the principles of the laws of Nations, and of its real disposition to punish with severity, any attempt against those salutary and inviolable principles which as you say, it has neither the power nor the will to change or modify.— I have received with no less pleasure, the assurances you have been pleased to give me on this point.

In announcing that the Hon Judge Hutchison, to whom has been intrusted the Cognizance of this affair would proceed to day at 3 Oclock P.M. in the Senate Chamber to the hearing of testimony, you add, "it is expected that you will place before this Magistrate any evidence at his command." If the Texan Government, which ought it seems to me to be perfectly apprised of the cause of this odious violation of the Laws of Nations; which cannot be ignorant of the Circumstances which have preceded and brought it on, has not succeeded in procuring of even facts known to every body, sufficient evidence, I should take pleasure in transmitting through you, all the declarations necessary to enlighten the conscience of its tribunals. I would even consent in the case in which you have made the demand, that my domestic should be heard by his simple declarations; But as to permitting that they should appear as witnesses before the Judicial authorities of this Country, particularly when it relates to a question in which the dignity of France is deeply concerned I could never without completely forgetting the obligations which are imposed on me without a culpable abandonment of principles and of privileges the preservation of which unimpaired is one of my first duties.

Accept Sir, the assurance of the high consideration with which I am, Your very humble and very obedient Servant—

A De Saligny

Hon
J. S. Mayfield
Secy of State &c.

Legation of France in Texas.
Austin Feby 21th 1841.

Mr Saligny to Secy of State Relating to the Conduct of Mr Bullock for an alledged violations of the Laws of Nations

Sir.

I must have expressed myself badly, in my note of yesterday, or the translation which was made of it could not have been exact, for I see by your answer, that you have not well understood my meaning.—

I will therefore attempt express it in a clear manner and one not liable to be misunderstood.

By your note of the 22nd you transmit a copy of a letter of the District Attorney Mr Jewett, written to you the same day, in which he asks you to make known his desire that I should permit Eugene Pluyette, to appear before the Hon Judge Hutchinson to depose as a witness, relative to the crime (offense) which forms the subject of my complaint.

Then you add, below, "That it is expected that I should place before the Hon. Judge Hutchinson, all the proofs which may be in my possession Concerning this affair.

To this Sir, I answer, the Law of Nations prevents not only a foreign Minister but even his domestic's from being cited under any pretext whatever before the tribunals of the Country where he resides.— The Minister may sometimes its true, renounce this privilege, and such circumstances might occur, when in order to ascertain what Justice required; I might Consent to permit my domestics to come as witnesses to depose before the Tribunals of your Country; But, in the present case, if Eugene Pluyette (on whose person has been committed the crime) should appear before the Hon Judge Hutchinson, it would be in some sort, much less in quality of Witness than as party, and that is the reason Sir, as I wrote you yesterday, and as it should have been understood, that I could not Consent, without a most Complete disregard of the duties imposed on me, and without too, a culpable abandonment of privileges, the maintainance of which unimpaired is one of my first duties.—

However if in his desire to arrive at the full knowledge of the fact, the Hon Judge Hutchinson should wish to hear my domestic, not as witness, but by simple declaration only, you would have but to inform me of it in writing, and I would have I think, no objection to it; also as to your first request, I should be pleased to transmit to the Department of State, such information as I possess touching this deplorable affair.

As to the rest— the crime, for which France is to day forced to seek reparation, has been Committed at three different times, in open day, before a great number of the people of the City, whom your Magistrates can summon as witnesses, every body here knows that it has been for a long time preceded by circumstances which of themselves above constitute an insult to France.— These facts, have been perfectly known by your Government, and although it can be said, it had the means as it was its duty, to have stopped and punished them.— During an entire month the Charge de affaires of the King, in his desire to avoid all embarrassment with a country to which he had already given such unequivocal evidence of his personal sympathy has shown a patience and forbearance pushed perhaps to excess, but which the Texian Government— I am sorry to be constrained to say, should have better appreciated.

France less than any other nation perhaps, should expect to be insulted by Texas; and besides since the outrage of which she has to complain has been unexpected, odious, and in its character, derogatory to her dignity, you can therefore the better understand, that in her just [illegible] that it should receive a prom-

signal punishment proportioned to the enormity of the offence.—
As to your reflections upon the Judicial forms adopted in the Republic of Texas, I am sorry not to be able to make any other reply than that already directed to you in my Note of the 20th of this month. to wit.— That the Laws of Nations is the Supreme law which regulates international concerns of all civilized people, and that no people can adopt in respect to other nations any rules, any Judicial forms, which by rendering vain and impossible a recourse to the imprescriptable principles of this law should deprive them of the means of pursuing redress for their just grievances.—
Be pleased Sir, to accept the assurance of the high Consideration with which I am, Your Very humble and Very Obedient Servant.

A. De Saligny

Hon.
J. S. Mayfield
Secy of State.

Austin Feby 21st 1841.

Henry J Jewett
Communicating the proceedings had in the case of Mr Pullock for an alleged violation of the Laws of Nations—

Hon.
James S Mayfield
Secy of State

Sir:— In Conformity to your instructions dated the 20th of this month, I have instituted a Judicial enquiry into the alledged violation of the laws of Nations, said to have been committed by Mr Tiebaro Pullock a citizen of Austin, upon the person of a domestic belonging to the hon of the Honorable Chargé d'affaires of France at our Government.
The result of the enquiry contained in the accompanying documents marked A.B. & C. I have the honor herewith to transmit you.— The letter of the Honorable Judge Hutchinson (Doc. C.) before whom the investigation was had, gives a full Statement of the proceedings and the Judicial order, which he issued thereupon.
As the Honorable Chargé d'affaires did not feel himself at liberty to comply with my request made through your Department, that his servant should give his testimony before the Judge in relation to the subject of complaint, the investigation of the Court was directed only to the affray of the 19th.— For the offence the result of the Judicial enquiry shows that Mr Pullock the Def. has been Strictly dealt with according to the Laws of our Republic provided for such cases.
Trusting that the novel and delicate duties which in this instance have devolved upon me in my official Capacity; may have been discharged in such manner as to meet the approbation of His Excellency the President
I have the honor to subscribe myself Your
Obt Humble Servt

Henry J Jewett
Dist Atty 3rd Jud Dist

Information filed vs Mr Pullock

Document A. Information.

The Republic of Texas
County of Travis } To the Hon Anderson Hutchinson, Judge of the District Court, for the fourth Judicial District, and associate of the Supreme Court of the Republic of Texas.

In the name and by the Republic aforesaid, be it remembered that H. District Attorney of the third Judicial District of Texas aforesaid, comes before us certain instru

President of saide Republic through his Secretary of State Dr. J Mayfields. That is to say

" Department of State

City of Austin Feby 20th 1841

Sir.

Mr Saligny Chargé d affaires of France yesterday transmitted to this Department a representation that Mr Bullock a citizen of this City had violated the laws of Nations by provoking and engaging in an affray with Mr Eugene Pluyette a domestic of his and one of the people belonging to his house.

The President has directed me to instruct you to institute before the proper Judiciary officers an examination into the affair, and adopt such legal measures in prosecution of the same as can be borne out by the laws and usuages of Nations and our own Municipal policy.

It is desirable that the examination be taken in writing. — Relying upon your zeal and integrity in sustaining inviolable the usuages of Nations and the Character of our institutions further or detailed instructions are deemed unnecessary.

I am Respectfully Your Obt. Servt.

To. James S. Mayfield

Henry J Jewett Esqr.

Dist Atty.

Whereupon the said District-Attorney in behalf of the Republic aforesaid, by virtue of the power and authority vested in him by Law, and in Conformity to the aforesaid instructions on the 22nd day of February in the year of Christ one thousand eight hundred and forty one, gives the Court here to understand and be informed that one Richard Bullock a citizen of the County of Travis in the Republic of Texas aforesaid, on the nineteenth day of February in the year of Christ one thousand eight hundred and forty one, then and there with force and arms in said County in and upon the body of Eugene Pluyette a Servant of A De Saligny Chargé d' affaires of France in the Republic of Texas then and there in the peace of the Republic being, an assault did make and him said Eugene Pluyette did then and there beat abuse wound and illtreat and other wrongs and enormities then and there did and Committed to the great damage of him the said Eugene Pluyette, in Violation of the laws of Nations and against the peace and dignity of the Republic.

Whereupon the said District-Attorney who prosecutes in behalf of the Republic aforesaid prays the consideration of your Honor in the premises and that due process of Law may be awarded against said Richard Bullock in this behalf and he, held to answer to said Republic touching and concerning the premises aforesaid and do therein what to Law and Justice may appertain.

Henry J Jewett

Dist Atty & Ass Dist Rep. Texas.

Upon this information the following process was awarded,

proceedings in court has not Mr

The Republic of Texas.

To the Sheriff, Coroner or other Ministerial officer of the County of Travis, or in defect or absence of such officer then to the Marshall of the City of Austin Greeting:

District and associate Justice of the Supreme of the Supreme Court
by Henry J Jewett Attorney of the Republic for the third Judicial Dist
on instructions of the Executive through the Department of State, has this day been
presented stating and charging that Richard Bullock a citizen of the said Cou
on the 19th day of this month with force and arms in and upon one Eugene
Pluyette a Servant of the Honorable A De. Saligny Charge d' affaires of Fra
at our Republic, then and there being in peace an assault did make and h
the said Eugene did beat abuse wound and ill-treat, and other wrongs and
enormities then and there did, to the great damage of the said Eugene in violation
of the laws of Nations and against the peace and dignity of the Republic.

We therefore Command you forthwith to arrest the said Richard Bullock
and bring him before the undersigned at the Senate Chamber in the City and
County aforesaid on tomorrow at three oclock P.M. to be examened of the
said charge and to be dealt with according to law — have then and there the
warrant.—

Witness A Hutchinson Judge &c. this 22nd day of Febry 1841.
and his Private Seal annexed.

A Hutchinson Seal

On this warrant the following the following return was endorsed viz.
Received 22nd February.— Served 22nd 1841.

Moses Woods.
C. C. S.

Evidence in the case of Mr Bullock

Document B.

Republic vs Richard Bullock.

The defendant appeared and an
by his Attorney F A Morris Esqr. A motion was made by the Counsel of
the defendant that the Defendant be discharged on the grounds that the
warrant was issued without the oath or affirmation required by the
Constitution Contained in the fifth article of the declaration of rights,
overruled. The following witnesses were Sworn and examined.

Moses Johnson. I was passing up the street and saw Mr Bu
running after some person as I approached nearer, the person whom
Bullock was pursuing appeared to make some resistance, Bullock thr
rocks at the man, took up an axe but did not strike, the man picked up
rock, dont know that he threw it, but thought he did. They were afterwar
together, saw Mr Bullock strike the man, did not see whether the m
struck Mr Bullock. The man is one who resides with Mr Saligny.— o
Sworn. I think the Frenchman struck Mr. Bullock, but not certain.
I think Mr Bullock struck the Frenchman with a rock on the head.
the Frenchman kicked Mr Bullock ten or three times and then Mr Bul
pursued the Frenchman with a club towards Mr Delong's — this was
or four days since, I think on Saturday or Friday last— when I
saw them the Frenchman was running from Mr Bullock.—
Cross examined.— I do not know the man's name.— know he is
Mr Saligny's.—

(Signed) Moses Johnson.

Jules Delong. On the 19th I heard a noise an
went to the window, saw Mr Bullock running after Mr Ca
Servant— when Mr Bullock pursued the Servant closely, he laid d
hold and turned upon and struck Mr Bullock
on him.— They had a fight.— They were engaged
the Servant kicked Mr Bullock twice
bloody, when the Servant was
Mr B. C. S. saw

the Store and de Mr Bullock went away.— I know him to be the Servant of Mr Saligny— his name is Eugene Pluyette. Mr Bullock pursued the Servant to the door but did not come in— used some abusive language, Mr Bullock had a large Club in his hands, the Servant had a contusion in the head.— When I first saw Mr Bullock pursuing the Servant, Mr Bullock seemed to be in great anger. I did not see the commencement of the affray.

(Signed) J. Dulong

Reduced to writing by the Recorder of Austin and signed by the Witnesses in my presence— the having answered through a sworn interpreter. Feby 23rd 1841.

A. Hutchinson.

Document C.

Austin February 23rd 1841.

Decision of the Court in the case of Mr Bullock for an alleged assault and battery committed upon a domestic of Mr Saligny

Hon James S. Mayfield
Secretary of State.

Sir. On the 22nd instant Henry S. Sewell, attorney of the Republic for the third Judicial District— preferred before me as one of the District Judges, an official information against Richard Bullock, of Travis County, for committing an assault and battery on Eugene Pluyette, a domestic of the suite of the Honorable A De. Saligny, Chargé d' affaires of France, resident here, and stating the offence to have been committed on the 19th instant in violation of the Laws of Nations.— I issued my warrant for the arrest of the accused and his preliminary examination at the Capital on this day.— He was arrested and brought before me at the hour and place appointed.— I requested the Mayor of Austin to sit with me, in order that he might take cognizance, if from the evidence, the case should seem more proper for his action.— The Minister of France did not send any witness to be sworn to testify.— Two witnesses on behalf of the Republic were sworn & testified, and their testimony, reduced to writing, will be copied and transmitted to you, with copies of the information and warrant, by Mr Sewell. Being satisfied from the testimony that the accused ought to be put upon recognizance with securities to respond to the prosecution at the next term of the District Court of Travis County, for the misdemeanor charged as an offence against international law, I ordered him to give sureties accordingly.— He has entered into a regular recognizance, with sureties, to appear answer and defend.— Any other or further proceedings against him did not seem indicated by the evidence, or justified by our Constitution and Laws; and the action had appears to be the utmost the laws and usage of Nations in such case require

I have the Honor to be Sir
Your Obt. Servt.
A Hutchinson

Mr Saligny to Secretary of State stating he sent Mr Bullock

Austin 28th Feby 1841

Sir.

I have to acknowledge the receipt of your note you did me the honor to address me on the 25th of this month.— I observe by the decision rendered on the 23rd Inst by the Honorable Judge Hutchinson of which you have given me a copy, accompanied that that Magistrate has sentenced

the weight of the affair which was submitted to his decision, and I will a definite Judgment of the Honorable District Court with the fullest confidence in i wisdom and independance of that honorable tribunal.—

I have nothing further to adde or to alter to my former communications, you may assured Sir, that the Government of the King to which I felt myself bounde to transmi a copy of the correspondence exchanged between us, will justly appreciate the feelin by which the conduct of your Government has been directed throughout this unfortunat affair.— It cannot without doubt learn with most painful surprise that a member of the Texian Cabinet has in a measure associated himself with the responsibility of an act which the Justice of his country immediately condemned as a violation o the sacred principles of the Law of Nations.— As to myself I will abstain from an remarks upon such a proceeding which in my opinion is without an example in the annals of civilized people.

Receive Sir, my assurance of the high consideration with which I hav the honor to remain, Your very humble and Obt Servt.—

A De. Saligny.

Hon
James S Mayfield
Secy of State.—

Legation of France in Texas
Austin 21st March 1841.

Mr Saligny to Secy of State relative to the conduct of Mr Bullock

To the Hon.
Mr Mayfield
Secy of State.

Sir= The bad state of my health has not permi me to acknowledge before the present moment the receipt of the letter which y did me the honor to address me on the 15th of this month in conformity with a order of his Excellency General Lamar, to remit me the Copy of the memoi as you style it, addressed to President Burnet by Mr Bullock on the 20th, last month.—

I regret Sir, that you had not thought proper to communicate at an earlier date this memoir, for the explanation which I feel bounde to transmit to you would have necessarily convinced you that I have not waited until the present moment to adopt in this affair all the measures that a scrupulous feeling of Justice and propriety might dictate.—

The Memorial of Mr Bullock is nothing more in the eyes of every impartial and sensible man than a measure adopted as an after-thought the end of which can be easily understood; it does not suit my convenien to refute one by one all the false allegations, all the controverted entirely, and facts which it contains.—

I will confine myself then, to inform you, that I have refused to pay what I owe to Mr Bullock; that on the Contrary I have o frequently through divers persons to pay immediately; it is true, not a cor the account rendered by him, which every body says is scandalous (an scandalous imposition) but according to that fixed by the arbitration able to the known fairness of Mr Bullock, of which account I annex I have renewed to him within the last five or six days the same propos but that individual has always refused; and for entire months he ceased to vomit against me the most gross insults originating source so low, my well known sentiments of affection and this young Republic, and the desire to cement Government, have alone prevented me station requested time I ha

Calumnies.—

made to carry from doors Arguments and Judgments Co

representations which I deemed it my duty, on diverse occasions to submit to Judge Burnet, have not had any effect, and that the Texian Government has not taken any measures to put an end to the outrage to which France was the object in the person of her Representative, and to prevent the lamentable consequences, which I was heartily desirious to spare between two friendly Governments.—

As to the complaint of Mr Bullock with regards to his hogs, this is the truth, I have a long time suffered and I still suffer every day in common with many of us from the many hogs with which this town is infested. Every morning one of my domestic's spends two hours in puting up and nailing the pailings of the fences, which these animals throwe down, for the purpose of eating the corn of my horses — one hundred and forty pounds of nails has been used for this purpose, one day three hogs entered even to my chamber and eat my towels and destroyed my papers, on another occasion a dozen of these very animals precipitated themselves in the midest of my horses for the purpose of eating their corn, the horses affrighted upset the stable and trampled under foot one of my domestic's, who was dragged from under their heels with a great deal of difficulty and half dead.

It was then that following the example of many of my neighbors, I directed my domestic's to kill all the hogs that come into my yard, but this order was not particularly applicable to the hogs of Mr Bullock, which do not carry their master's names upon their backs, and which it is impossible to distinguish from other hogs — In obedience to these orders, five or six hogs as it appears were killed in my yard by my domestics, did they belong to the aforesaid Bullock, or to any body else? I do not know, but the insinuation and assertions of that individual with regards to this point are not less false than all the rest of his memorial, which throughout breathes a most remarkable bad faith, and is evidently as I repeat nothing more than an expedient by which he hopes to attenuate the crime of which he is found guilty, and of which France awaits a just reparation.

I renew to you Sir, the high consideration with which I have the honor to be, Your very humble and obt. Servt.

A De Saligny

(Copy)

Mr De Saligny to Richards Bullock Dr

July 21st	To keeping Horses 3½ days	@ $2 50/100.	$25.. 25
" "	" do 5 Horses 4 "	" $2.50/100.	50.
	" 1 Days board for driver	2.50.	2. 50
	" 1 Months board for self.	60$.	60. 00
	" 1 " do for 2 Servant-boys	$30.	60..
	" 1 " " " 1 Servt girl	30$.	30..
	" 5 Days " " Mr Dulong.		12. 50
	" Negro Girl (Flora) expenses		8. 38
	" Diging grave & burying Flora.		10..
	" keeping Spotted Horse 13½ days	$1. 50	18. 75
	" Services of Henry 3 Days		6..
	" 1 Months Rent of Store-House		30..
			$313.. 75

This bill is made out according to the information made known to me by Mr Saligny concerning with Bullocks rates of cha

Deducting from Mr Bullock's bill as settled by arbitration at $313.75.
Cash paid by Mr De Saligny on July 28th ... 200.00
Balance due. ... $113.75

Not only has Mr Saligny proposed to Mr B. as early as August last to pay him that balance: but he went further. — Having made no bargain with Mr B. for the rent of the Store, and having no fixed and regular price to take as a standard for that Item, he agreed to pay the 40 $ charged by Mr Bullock, instead of 30 $ as reduced by arbitration. — It is very strange that Mr Bullock having taken from Mr Billingsley's hands the bill formerly presented by himself to Mr De Saligny, has always refused to return it, although called for twenty times. — A proposition made anew a few days ago, to Mr Bullock through Mr Billingsley to settle has received no answer, at least as far as Mr Saligny knows. —

To the Hon
Mr Mayfield
Secy of State.

Legation of France in Texas
Austin 25th of March 1841.

Mr Saligny
to
Secy of State

Communicating a new insult of the most atrocious character, and on this occasion it is to the person of her representative himself that the outrage has been committed.

Indirectly

Yesterday evening at the moment I was about entering the yard of the house of the Chargé d'affaires of the United States, whom I was about visiting, I observed the Tavern Keeper Bullock who had been following me some moments with a menacing air and aspect of menace, so manifest that I could not but remark it: precipitated himself towards me and said with an insolent tone that he did forbid Mr Saligny coming to his house; I answered tranquilly that I came not to his house, but to the house of Col Flood. — It is not true replied he; you are upon my premises, and the first time you come again I will beat you. — You are now warned, hence forth I will not restrict myself to words, but I will act. — In speaking thus he raised his fist towards me in menace, and made a motion of a disposition to strike me. — I warned him to be aware of what he was about to do. — Then he took me by the collar, afterwards he seized me with violence by the arms; at length disconcerted by coolness, he let me go; and I continued my course, without paying any attention to the injuries and menaces which he had offered me. —

During many months Sir, the Texian Government without regarding the amicable observations, which I had contented myself with addressing to it, without appearing to appreciate as I had a right to expect, the feelings which have induced me to exercise a patience and endurance has permitted Bullock to vomit every day, against the representative of France, the most gross insults, and the most insulting calumnies, encouraged by the incomprehensible inaction of your Government, this pitiful fellow as I have often predicted to Judge Burnet, has no longer confined himself to mere words. — Three different times he has attacked in the streets of my Servants. — The course which the prosecution against him, for Crime Committed on the 19th of February has taken. — The extraordinary indulgence shewn towards him, and above all the encouragement which has been given to him (by the) in that affair, by one of the members, who has not hesitated, as I have had the honor to call your attention in my communication of the 28th of February last to assume the responsibility of this affair has convinced Bullock that anything, that with impunity aggressions even

have been the base attacks of which I have been the object, I regret Sir to be forced to request of you, to call the attention of His Excellency the President Lamar, to another fact which which is not less worthy of reprobation. — The crime committed yesterday by Mr Pulleck in which I am happy to acknowledge has inspired with indignation all people of correct feelings in this city, has again found a warm defender in the Cabinet, in fact according to the information I have received from the most respectable persons, the Secretary of the Treasury has not hesitated to approve publicly and without reserve the conduct of Pulleck. — That he has even gone the length to say — that if he had been in his place, he would have taken his gun and killed me.

This is a piece of advice of which Pulleck has no doubt determined to avail himself on the first occasion. —

In view of such facts Sir, I should be tempted to believe myself in the midst of a savage tribe, rather than in the bosom of of a civilized and friendly nation, unless the Texian Government arousing from its inconceivable lethargy, should not adopt instantly the most energetic measures for the punishment of the past, and the prevention of future outrages; and for the rendering of France distinguished satisfaction, you will see Sir, that I could not longer remain near a Government, which far from enabling me to enjoy the respect and protection due the representative of a friendly Nation, might not have the will or the power, to protect my very existence from the attacks of a wretch.

I therefore beg of you to let me know at the earliest possible period the measures adopted by your Government to prevent Pulleck from putting his designs into execution.

As to the Secretary of the Treasury, whose conduct a deep insult upon France, I have too much confidence on the elevation of sentiment of his Excellency General Lamar, in his high sense of Justice, as well as his friendly disposition towards a Government from which Texas has received nothing but proofs of sentiment and sympathy, to doubt for a moment, that he will not hesitate, strongly to reprove a functionary culpable of such an offence; and thus to afford to France the reparation due her. —

If I shall be disappointed in these my just expectations, I shall find myself Sir, under the painful necessity, to beg of you to send me my passport, and to quit this country. — Then Sir, in leaving to the Government of the King, the care to provide for that reparation which may have been refused, I can with confidence appeal to the judgment of the civilized world, and cast the responsibility of the consequences; where they should properly rest. Calling heaven to witness that I have done every thing to avoid them.

I have the honor to be Sir, with high consideration your very humble and very obt Servt.

A De Saligny

Mr Flood
Relative to the
march of Sr
Illeds. for-
eign an
nity to

Legation of the U. S of N. A.
to the Republic of Texas
City of Austin March 25th 1841

Sir

The undersigned Chargé d' affaires of the United States of North America to the Republic of Texas, conceives it an imperious duty he owes the Government of his Country, superadded to the respect & Esteem he must ever entertain for the sacredness and inviolability

of Nations, to apprise his Excellency the President of the Republic, through the Honorable Secretary of State, of an outrage, which the undersigned believes to be grave in its nature and premeditated in its character.—

On the afternoon of yesterday, the Hon Arphonse De Saligny Chargé de affaire of the King of France, whilst in the act of visiting my family, at my lodgings, and within the enclosure of the yards, was rudely and violently assaulted by Mr Richd Pullock of this City.

I need not say to His Excellency the President, or the Honorable Secretary of State, that the malignity thus offered voluntarily and premeditatedly is as sensibly felt by the undersigned as it must be by the Honorable Chargé himself.

The undersigned from the well known and acknowledged character of his Excellency the President, for uprightness, inteligence and integrity — and from his laudable desire to harmoniously cultivate the relations that must exist between Nations allied by Treaty stipulations, and in the absence of which all intercours must cease — doubts not, for a moment, he will promptly direct strict measures to be taken for the redress of the grievances complained of, as are due to the parties and in consonance with the universally acknowledged Law of Nations.

It is due to Mr Pullock to say, he called on the undersigned this morning, and disclaimed, in the most earnest manner, any intention on his part, to offer an indignity to the undersigned or his family.— He certainly knew the Honorable Chargé of France, visited no one in his house hold but the undersigned & fam. his family, and those visits daily in their character.

The undersigned begs to assure the Honorable Secretary of his continued regard and trusts that harmony peace and good will may long characterize the course between their respective Governments.—

The undersigned has the honor to subscribe himself

Very Respectfully

Your Obt Servt

To the Hon
Jas S Mayfield
Secy of State &c

Geo H. Flood.

Treasury Department
Austin March 29th 1841.

Mr Secy
Communicating
information
relative to Mr
Saligny passing
Counterfeit
promissory Note

Hon. J. S Mayfield
Secretary of State.

Sir.— In reply to your verbal request that I would furnish you with all the information in my possession respecting Mr De Saligny, the Chargé d'affaires of the French Government having passed Counterfeit or spurious promissory notes of the Republic of Texas to a waggoner in his employ and refusing to redeem them, I have to state that about the 30th of July 1840 a Mr James Latham called at the Department and made some complaint that Mr De Saligny had given him spurious promissory notes of the Government in payment for his fare &c from Houston, and had refused to redeem them as genuine notes.— I afterwards heard the Hon James H Starr, then Secretary of the Treasury, speaking of the matter, but do not recollect any thing definite that he said, more than his expressing of surprise Mr De Saligny should refuse to redeem the Counterfeit notes.

On the 4th of August I think it was, Mr Latham at the Department and handed me a note from the Hon of which the following is a Copy

the

the back of the affidavit respecting the notes recd of Mr Saligny

(Signed) Jas H. Starr.

Pay it out of a package from City Lots Auget. 5th

At the same time Mr Latham gave me six 50 notes, (which I knew at once to be counterfeit-) and an affidavit of which the following is a copy, Viz.

This 31 July 1840

Republic of Texas, Travis County. } This day personally appeared James Latham before me, A.C Hyde, one of the acting Justices of the peace for said County, and made oath according to law that on the 30th Inst. he received from Monsieur De Saligny six fifty dollar bills of the promissory notes of the Government, Nos as follows - 221. 180 234. 238. 333. 242. making in all three hundred dollard, that the same has not been out of my possession and those now presented are the identical notes received from him -

Given under my hand and seal this date, as above written.

(Signed) A.C Hyde. J.P.T.C. (Seal) (Signed) James Latham.

I found that the numbers on the notes corresponded with the numbers given on the affadavit, and the notes themselves, were marked as on the face "Counterfeit - Jas H Starr". - I immediately obeyed the order given by the Hon Secretary,) who was in another part of the city, at the moment -) and paide Mr Latham three hundred dollars ~~in genuine notes for the~~ ~~counterfeit notes~~ as directed, and took his receipt on the back of the affidavit, as follows. Viz

"Austin Aug 1st 1840. Received of James H Starr, Secretary of the Treasury, three hundred dollars in genuine notes for the counterfeit notes described within. (Signed) James Latham"

The original of the foregoing order, affidavit and receipt - together with the counterfeit-promissory notes, are now in this Department.

Mr Starr afterwards informed me that some of the members of the Cabinet had agreed to replace the abovementioned sum of three hundred dollars out of their private purses, in order to avoid any difficulty about the matter with Mr De Saligny.

It may not be improper to add, that I was, at the time the above-mentioned occurence took place, as at present, Chief Clerk of the Treasury Department.

I have the honor to be your

Obt. Servt

Chief Clerk.

Legation of the U. S.

Austin Jany 26th 1841.

Mr Flood requesting Copy of Treaty between England & Texas

The Acting Secretary of State of the Republic of Texas, would be pleased to send the undersigned Chargé d affaires of the United States, a copy of the Treaty lately made and ratified between England and the Republic - as soon as it may suit his convenience.

The undersigned begs the Acting Secretary to accept the assurance of his highest regard.

Geo. H. Flood.

To.

Joseph Waples

Acting Secy of State

Republic of Texas

Mr Flood's relation to an alledged outrage committed by Mr Bullock

Legation of the U. S. N. A.
Republic of Texas
Austin March 31

Sir.

I have the honor to acknowledge the receipt of your note of the 29th instant answer to mine of the 25th.

I am wholly at a loss to understand by what process of reasoning or even Construction of language, you arrive at the conclusion that I feel myself "embraced in a question involving alledged outrages upon the household of Mr Saligny Chargé d'affaires of France" — for on no occasion have I expressed an opinion in relation to any difficulty between Citizens of the Republic and the household of the Honorable Chargé of His Majesty, the King of France, I must therefore, most respectfully decline the position your note assumes to place me, in relation to this matter.

In my Communication to you of the 25th I complained of but a single circumstance — the unwarrantable attack of Mr Bullock upon the person of my distinguished guest, while on the act of visiting my family at their lodgings — I indignity, I thought, reflected quite as much upon me as it possibly could upon Mr Saligny, and in this opinion I hesitate not in believing the Government of my Country will sustain me

I extremely regret His Excellency, the President cannot conceive his the subject can form the just grounds of complaint upon the part of Mr Flood for shortly after the transaction occured he both entertained and expressed a different opinion.

I again renew the assurances of my continued regard and have the honor to subscribe myself

Very Respectfully Your Obt. Servt.

To the.
Hon A. J. Mayfield
Secy. of State &c. &c.
Geo. M. Flood.

Mr Saligny informing this Govmt of his intention to suspend his intercourse with this Govmt

Legation of France to Texas.
Austin 31st March 1841.

To the Hon
Mr Mayfield
Secy. of State.

Sir, Your note of the 29th Inst. reached me yesterday, that note which resembles rather an impassioned plea, in favor of the aforesaid Bullock, and a defamatory libel against the Chargé d'affaires of France, than a diplomatic communication, is of such a nature, conceived in such spirit, and written in a tone so injurious to myself that I shall abstain from replying to it. I shall confine myself to an acknowledgement of its reception, and until I shall have received the ultimate orders of this, to which I have addressed a copy, I deem it my duty to suspend all intercourse with the Government which, when the Representative of France addresses it to obtain Justice against grievous and repeated outrages no other reply than insulting language.

I have the honor to be, with distinguished consideration
Humble and Obedient Servant
A. De Saligny

Mr Forster Communicating information relative to steps taken by Mr Saligny to embarrass our negotiations in Mexico.

City of Austin April 4th 1841.

To
The Hon. James S. Mayfield
Secretary of State.

Sir. I have the honor to acknowledge the receipt of your note of yesterday afternoon, requesting to be informed relating to such as have come to my knowledge with regard to the matter at issue between the Charge d'affaires of His Majesty the King of the French, and this Government.

In reply, I have to state that Mr. De Saligny stated to me, as I understood her did to others, that he had prepared a document for the French Minister at Mexico, detailing the circumstances of the case, which would meet Judge Webb, upon his arrival, & placing at the same time to a packet lying upon the table. The object of which communication, as I understood, was to embarrass the negotiations of the New Minister Plenipotentiary to Mexico.

I take this communication, under the impression that Mr. De Saligny could not have intended it as confidential, from the consideration that he knew my situation towards the Government, and from the fact, that I made the statement, prior to my conversation with him.

In conclusion, I beg to assure the Hon Secretary of State, that it would at all times afford me pleasure to confer a favor upon the Department over which he presides, as well as to render a service to my Country.

I have the honor to be, very Respectfully,
Your Obt. Servt.

Thos. Gales Forster

Mr Webster to Mr Bee

Legation of Texas
Washington 7th March 1841.

Sir.-

From indispositions occasioned by exposure on the 4th of March last, the day of General Harrison's inauguration as President of the United States, Col Bee is incapacitated from writing at the moment; it therefore devolves upon me to communicate some matters of interest.-

Daniel Webster has been appointed Secretary of State of the United States, and addressed two Notes to the Legations of which the following are copies and may serve as a guide for Texas on a similar occasion.

Mr Webster to Mr Bee

Department of State.
Washington 6th March 1841.

Sir.

I have the honor to inform you that the President, by and with the advice and consent of the Senate, has appointed me Secretary of State of the United States, and that I have this day entered upon the duties of that office.

I have the honor to be, Your Obt. Servt.
To Barnard E Bee Esquire, &c &c &c.
Daniel Webster.

Mr Webster to Mr Bee

Circular.

The Secretary of State presents his compliments to Mr. Bee, and has the honor to inform him that the President will receive the Diplomatic body at 2 o'clock on Tuesday the 9th Inst.

To
Barnard E Bee Esqr.
&c &c &c.

Department of State
Washington 6th March 1841.

Mr Bee making proposition for a commercial treaty by Spain

Col James Love of Galveston wrote to Col Bee a short time since, desiring him to propose to the Spanish Government, through the resident Minister here the formation of a Commercial Treaty with Texas, and to assuring Col Bee that the Government of Texas would sanction the step, and empower him or some other individual in season for the reply from the Spanish Government as Negociator on the part of Texas — In consequence of this request, Col Bee sought an interview with Chevalier d'Argaiz, and obtained the promise of a reply to any communication he might address him upon the subject of his wishes, which I refer to the following notes here copied, and the one in Spanish translated by myself, and in view of which it is hoped measures will be forthwith taken by the Government of Texas that the case requires. —

Legation of Texas
Washington Feby 27th 1841.

Mr Bee to Argaiz relative to an acknowledgment by Spain

The undersigned, Chargé d'affaires of the Republic of Texas, near the Government of the United States, with a view of promoting the interests of the Country he represents, begs leave to propose through the Chevalier d'Argaiz Envoy Extraordinary and Minister Plenipotentiary of Her Catholic Majesty the Queen of Spain, also near the Government of the United States, the negotiation by the latters Government of the Independence of the former and the formation of a general Treaty of Amity and Commerce between the two Nations, having for its especial object the establishment of a direct trade with Cuba, and other of Her Majesty's possessions in the West-Indies contiguous to Texas, for the exchange of the commodities and productions of the two Countries on a liberal footing mutually beneficial, so that Spain may also be a participant in the benefits enjoyed already by several of the Nations of Europe, from the adoption of a course similar to that now proposed.

The mules, Horses, Cattle, Beef, Cotton &c. abounding in Texas, would meet with a ready Sale in Cuba, while the Coffee, Sugar, Cigars, Tobacco fruit &c of Cuba could be furnished Texas at reduced rates, to the extent probably of her entire wants, more satisfactorily principally through the United States, after being imported into that country from various others, and in addition to the present wants of Texas proper. The Santa Fé trade now flowing through St Louis Missouri United States, will be diverted to the Ports of Texas a cheaper more direct and expeditious route, towards the speedy accomplishment of which object, the introduction of goods direct from Cuba will in no small degree contribute.

A natural bonds of Union and sympathy between Texas and Cuba in found in the great dependence of both Countries through their entire cultivation Slave labor, both regarding with extreme regret, the Spirit of fanaticism abroad in certain portions of the world, ready to dispoil by the manumission of Slaves, without indemnity to the holder, honest Citizens of the rights guaranteed to them by the laws under which they live.

As regards the place for the negotiation of a Treaty, should it meet the views of the Spanish Government, the undersigned would prefer Washington, and the persons to negotiate be the representatives of the two Nations here.

The undersigned begging the Chevalier d'Argaiz will submit these views to his Government, and obtain as early as possible its decision, offers the assurance of his high consideration.

(signed) Barnardo Bee

To the
Chevalier d'Argaiz
Envoy Extr & Min Plen.
of Her C. M. the
Queen of Spain.

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Mr Argaiz to Mr Bee Relating to the acknowledgement of our Independence by Spain

(Translation.

The Undersigned Envoy Extraordinary & Minister Plenipotentiary of Her Catholic Majesty near the Govern of the United States has the honor to acknowledge receipt of the n which under date of the 27th of February last, the Charge of the Re of Texas near the Government of the U. S. directed to him proposing t the intervention of the Undersigned the recognition on the part of He Catholic Majesty of the Independence of the Republic and the forma of a general Treaty of amity and commerce between the two Nations th for principal object the establishment of a direct trade with the Cuba, an other of Her Catholic Majesty's possessions in the West Indies contiguous to Texas, for the exchange of the productions of both countries upon a liberal footing mutually beneficial.

The undersigned will transmit to his Government this Communication and also a copy of it to the Captains General of Cuba in order that he may without loss of time inform the Government respecting the advantages to be afforded by a direct trade between the Islands and the Republic of Texas.

The undersigned will be most happy to be able to give the Chargé of Texas a favorable answer, and assures him that whatever his Government may resolve upon the subject shall be communicated without delay of a moment.

The undersigned avails of this occasion to offer to Mr Bee the assurance of his high Consideration.

J. A. Argaiz

To E. Bee. Esq. Washington 3rd March 1841.

Have to acknowledge receipt of a Communication directed to myself of 3rd Feby. 1841. enclosing two drafts viz one for Francs for 1000f. and the other 1376f.— on the Commissioners for the $500.00 Loan, contents of the letter were duly noted.

A late private letter from Gen Hamilton to Col Bee dated Paris Feby 1st 1841. has the following.

"But for the news from Texas I should not have had a Million on its way before Sept. London, But I will succeed if the Congress of Texas does not work too industriously & in every possible mode what Credit the Country may have left in Europe"

We await a reply to the several Communications on Indian matters Gen Hendersons arrest &c.

Very Respectfully Your obt. Servant

To Hon. Secretary of State. A. Thompson

Mr Rice
Corresponding
Despatches

Legation of Texas
Washington April 1

Sir:

I have now the honor to acknowledge the receipt of your despatch of 17th Feby (No 6 last, which has been in hand some days without reply owing to the sickness and death of the President of the United States precluding my addressing a communication to the Government on the subject of the conduct of Turgerson complained of so promptly as I should otherwise have done, and wishing when I replied to yours to advise you of having done so, which I am now enabled to do, and copy of which is as follows.

"Legation of Texas
"Washington April 13th 1841.

Mr Rice to Mr Webster

Mr Rice to Mr Webster commencing the correspondence relating to the seizure of Turgerson a Deputy Marshall of the State of Arkansas violating the Territory of Texas

"The undersigned Chargé d'affaires of the Republic of Texas has now to call the attention of Mr Webster Secretary of "State of the United States to an unjustifiable act of one Turgerson a Deputy "Marshall of the State of Arkansas (a State of the United States) who under "a writ of fieri facias issued from the Federal Court of the United States for the "District of Arkansas, seized upon and took in keeping some Negroes in quiet pos "session and the property of a citizen of Texas, fifty ~~miles~~ at a place in the County of "Red River Texas, fifty miles west and south of the farthest limit to which the "United States has ever claimed Jurisdiction, refusing to release them upon the "peaceable remonstrance of the people of the Neighbourhood, and when forced "to yield them up, uttering threats that he would return with a force of "ten thousand men to regain the property.

"The undersigned hopes therefore that "the Government of the United States, will lose no time in taking steps to "prevent any further outrage on the part of this officer, and to investigate fully "the circumstances of that complained of, with a view to the punishment of "the offender, if found guilty as represented of encroachment upon the territorial "jurisdiction of Texas".

"The undersigned takes this occasion to offer to Mr Webster Secretary of State of the United States assurances of his high Consideration.

Remarks on this Correspondence relating to various matters

I am glad to observe, that the Government of Texas feels the necessity of entering upon the negotiation of a Treaty with the United States for more clearly defining, and establishing obligations on the part of both Nations relative to Indian affairs, and for regulating Commerce and other matters.

I shall avail of the earliest opportunity, to say to the Secretary of State of the United States as you instruct, that credit be given to the Chargé or Minister of this Government in Texas to negotiate a Treaty with you, and shall advise you without delay of his reply.

In regard to the arrest of Mr Henderson you direct me to endeavour to represent the matter to this Government in conformity with former instructions under date of August 1840, signifying an unwillingness to create a difficulty with the United States on the subject, but wish she should be made aware that the Government of Texas would deprecate the occurrence of a similar outrage.

The reply of Mr Forsyth of 29th January 1841 to my Note of the 15th December previous, is to be considered as the highest acknowledgement of error, which the interposition of the Texian Government, establishing the principle we contended for, "that a recurrence of a similar outrage" would appear to have been a sufficient atonement.

of Secretary a different view be entertained by my Government; you are aspirisemes.—

The five Consular Commissions forwarded by Mr Murfee Actin Secretary of State of Texas, 29th Jany 1841 were duly sent to the Secretary of State of the United States for Exequaturs, which owing to the events of the last months the Department have not found time and opportunity to prepare, these I shall doubtless receive in a few days, and will then immediately forward them them to their respective destinations; I shall also observe the instructions of Mr Murfee which accompanied the Commissions relative to safe flying the individuals appointed under such books.—

As it may be days or possibly weeks before I get Mr Websters reply to the note (Copy of which is subjoined) I shall not detain this despatch for the purpose of adding it, but will write again when I receive it and communicate its contents.—

Hon.
Secretary of State.

I remain Respectfully
Your obt. Servt—
Bernard E Bee

Mr Amongst Miscellaneous matters

(Despatch No 6th.) Legation of Texas
Washington April 12th 1841.

Sir

We have never been informed, whether you have in possession the decision of the Court of New York in the case of the arrest of Gen Henderson.

It was sent you by myself many months since, but may not have reached you, in which case or in the event of your not having obtained it from some other source, I now give an extract, being the conclusion of the report of said decision. Viz.

"Mr Verdi informed the Court that in making
"a motion to set aside the capias, it was not the intention of General
"Henderson to bring any action against the plaintiff."

This Concession has an important bearing upon the question of the expediency of urging for the application upon the United States for redress.—

Col Bee has left for Pendleton on a visit to his family, before leaving he waited upon Mr Tyler the President of the United States who received him with great kindness avowing the most friendly sentiments for Texas.—

He also waited upon Mr Webster Secretary of State of the United States who exhibited great interest for Texas, and a desire to promote her welfare in every way consistent with his duty, regretting that Col Bee as well as myself (who Col Bee informed him would be attend to affairs in his absence) should visit him so frequently.— In reply to Col Bee's suggestions that a Treaty between the two countries (of a character described in your despatch) should be negotiated in Texas, he said he would reflect upon it, but thought that the Secretary of War as well as himself would prefer it should be done here.— I shall renew the discussions with Mr Webster the first opportunity and get his views more plainly.—

Col Rodgers, who distinguished himself in the battle of Plum Creek in Texas is now here he has had much experience Indian affairs of the United States, and was expressed at one time to have been thought of by President Harrison for Indian affairs

advice might be of service in forming a Treaty on that portion relating to Indians. Genl Hamilton will probably be here shortly, and he could also be consulted on the Treaty were form here, and for which I prepared him in a letter written yesterday.—

Very Respectfully Your Obt Servt

N. Amory
Secy of Legation

Hon.
Jas S. Mayfield
Secy of State of Texas.

Mr Webster to Mr Bee Concerning the conduct of Ferguson for violating the territory of Texas

Legation of Texas
Washington April 19th 1841.

Sir.

Since writing on the 12th Inst. I have received two notes from Mr Webster, one, on the subject of Fergusons conduct, the other relative to Consular appointments, copies of which are as follows.—

Department of State.
Washington 13th April 1841.

The Undersigned has the honor to acknowledge the receipt of the note of the 12th Inst from Mr Bee Chargé d'affaires of the Republic of Texas, relating to the conduct of Ans. Ferguson Esq. Deputy Marshal of the United States for the District of Arkansa in entering the territory of Texas, seizing and taking into keeping some Negroes, the property of a citizen of that Country.— The undersigned hastens to assure Mr Bee that an immediate investigation shall be made into the affair and steps taken, without delay, to prevent any and all encroachments upon the territory of Texas by officers of the United States.—

The undersigned embraces this occasion to tender to Mr Bee renewed assurances of his great consideration.

Danl Webster.—

Concerning the Exequatur for Consuls

Department of State
Washington 15th April 1841.

Sir

I have the honor to acknowledge the receipt of your communication of the 2nd Inst.— The Exequatur therein requested in behalf of Francis Guerne Smith as consul of the Republic of Texas for the port of Philidelphia, and Solon O Brewer for the Port of New York, are herewith transmitted, and the commissions returned.

The President however deeming it expedient under existing circumstances to avail himself of the discretion reserved by the 28th article of the Treaty with Mexico in relation to this subject, has determined to suspend the issuing of Exequaturs to consuls of the Repub of Texas, for Detroit and Cincinnati, which are also requested in your Note.

I have the honor to be, with great consideration
Your Obt. Servt.
Danl Webster

P.S. The Exequatur requested for Moses Patton as Consul of Texas for is also herewith communicated and his Commission returned.

I have not yet had an interview with Mr Webster. Shall be enabled to see him tomorrow and have a to a Treaty, also enquire the reasons for the Michigan, and Cincinnati, &c. of the President the ...

196.

The Exequatur and Commission for Mr Smith, Philadelphia, for Mr Brower New York, and for Mr Patton Bangor, have been forwarded. with some general suggestions, and the proper steps taken to place them in possession of the laws.

The question is sometimes asked the Legation, what is the substance of the provision of an act passed 5th February 40 which provision was repealed the last winter, relative to fees and Consular Certificates, my Newspapers do not contain it, the laws of the two last sessions have not reached me in any other way than partially through the papers, and I am unable to answer such inquiry— You will thus perceive the great need we have of the laws passed 1840 & 41. When enabled to do so please send one Volume of each, by some expeditious and safe mode, and let a box follow by sea to supply Consulates &c.

I am very Respectfully

Your Obt Servt

Nath. Amory

Sec'y of Legation

Hon

James S Mayfield

Sec'y. of State of the Republic of Texas.

Mr Amory on various points relative to the formation of a Treaty with the United States

Legation of Texas

Washington 23rd April 1841

Sir

I have had the honor to receive your despatch of the 22nd Ultimo, apprising us of the re-establishment of Gen Lamar's health and that he had resumed the duties of President of Texas.— The accounts which had reached us of his critical condition at the time of retiring from office caused great solicitude, and, the unexpected intelligence of his restoration so soon to health, affords us the liveliest gratification.—

Therein you recur to the subject of the negotiation of a Treaty with the United States alluded to in your previous despatches, the suggestions relative thereto in both have been carefully noted.—

This morning I obtained an interview with Mr Webster Secretary of State of the United States, and enquired why the exequatur's for Consul at Cincinnati and Detroit were not issued, to which he replied that certainly they were very unnecessary at those places, and that it was not advisable to extend the benefit of such exemptions and privileges as the office of Consul conferred, without circumstances made the appointment necessary, to this I yielded feeling the force of the objections.—

I then informed Mr Webster that my Government were desirous of of concluding a Treaty with the United States as speedily as possible, some subjects remaining unadjusted touching Indian relations between the two countries which could by this means be definitely settled, for instance it could make provisions for intruding Indians of the United States, to be removed and permanently provided for among their kindred tribes in the United States, in comparison with whom in point of numbers those who claimed some rights in virtue of a long residence in Texas were quite insignificant- but that their numbers were frequently augmented by reinforcements from the United States whose ingress at the time is difficult of detection, and not easily susceptible of proof as to the date of their arrival, thus making it of great importance that without distinction all should be removed to the United States and afford no pretext for abuses of the kinds in future, and I added that indeed not any of them had really acquired a right of settlement, in not having complied with the condition annexed to the... missions to occupy certain portions of Territory given by authorities of...

subject, and I referred him to the correspondence which had taken place between the two G. and particularly to an despatch of 16th December last, to which he promised at my earnest req. to give his attentive consideration when he should have a little leisure, in order to come to an eque decision upon the merits of the case—

As regards the place for the negotiation, he seemed quite decided as to the inexpediency of allow. it to be conducted in Texas, and asked me if I supposed Mr Flood would be authorized to negotiat on the part of his Government.— I replied that I understood some other individual had been selected to take the place of Mr Flood, naming as the person Judge Eve, of Kentucky.— To this he merely answered that no appointment had been made, without seeming willing to assist me in my speculations upon the probabilities or possibilities as to whom might be sent, although acknowledging it was not unlikely a change would take place.—

As regards making provisions in the Treaty, that Slaves as body Servants, should be allowed to accompany their masters to the United States, he said, that could not be made a treaty stipulation, as the laws of some of the states of the United States, absolutely prohibited it, and in others it was already allowed, consequently in the latter case unnecessary to provide for.— I observed that the right of introduction of Slaves as Servants from Texas into the Slave-holding States of the United States had been disputed, and we wished the question settled, I could not cite any instance of an impediment having occurred, and should be glad to be provided with information of any which may be within your knowledge.—

In case Col Bee should under Special instructions be authorized to negotia this Treaty, the Government of Texas would of course take the treaty between Mexico and th United States, as well as those made by Texas with France, England, Belgium & Holland and point out if any, the objectionable features of them, so that so much of the unobjectiona portion of said Treaties, should in Spirit and intention be embraced, as the United States might agree to.— The French and Belgian Treaty we have not in possession, w have only the Netherlands & England with Texas, and the United States with Mexico, therefore would beg the favor that these may be furnished me.—

As regards Indian relations, I should suppose that the United States ought and would Consent that upon the expulsions or voluntary withdrawal of those American Indians from our territory who have at various times found their way into provide for them a place among the numerous tribes collected from all parts of the United States in Arkansas, and thereafter really restrain by a competent force stationed at proper points along the frontier, all Indians belonging within their lim from passing into Texas, under any pretence, unless with the permission of the author of Texas.— In pointing out the object desirable to be obtained in the formation of a Treaty, it would of course be expedient to designate any which would be considered indispensibles, and any which might be waived if found impracticable of attainm after due exertion had been used to induce the United States to accede to our wishes.

For instance, it is certainly in the power of that Government to re many reasons why the Indians we wish to return upon their hands should not be received or acknowledged by them as their Indians, and the question would arise in ca of absolute refusal to concur with us in our views of the matter, whether it would b considered sufficient objection to the consumation of a Treaty embracing genera subjects.

It would certainly be desirable to procure us more exact information as to number of tribes and each tribe of the Indians referred to, the date of their enter whether each tribe came in a body, or whether they came in small parties at di times.— We would wish to know all the acts and doings of the authorities and Mexico towards strengthening or weakening their claims to be considered of Texas, with reference to the proof of all such doings and acts.— also these Indians are at present, and what is their disposition with regard in regard to remaining, and what their views of their own rights tribes would remove peaceably, and which

case

of the United States to furnish a force to co-operate with the force of Texas within the boundary of the latter, to compel their removal would be expedient—

So far as we are informed about these Indians the Cherokees fled from Arkansas under Bowle in 1822 after he had been lynched, and one of the tribe Capt Richards, made an agreement 8th Nov 22 with the provincial Authorities of Texas that he should be allowed to proceed with five men to the city of Mexico, to obtain permission of Iturbide the Emperor to allow himself and tribe to settle in Texas.— Whether he accomplished his visit, or how it resulted we do not know.

In 1827 the citizens of Eastern Texas petitioned General Bustamente against the North American Indians requesting they might be expelled, in 1832, when first any allusions were made to these Indians by the Mexican Laws in decree 190. Laws Coahuila and Texas, Col Piedras, was appointed Commissioner to put the Indians in possession of lands, who did so with regard to Shawnees and Cherokees, forcibly, and other acts of aggression, he and his garrison were driven out of Nacogdoches, and the Revolution of Texas may be said to have commenced at that time.—

The possessory right granted the Indians by Mexico was on condition of Military Service to be rendered to Mexico, and of becoming Catholics, both which they failed to do, but rather sided with Edwards in the Fredonian war.— At the time of the Treaty made between Mexico and the United States, in 1831 the said possessory right had not yet been accorded the Indians by Mexico.— The Treaty of the Consultation of 1835 with the Cherokees and their associate bands 12 in number was not ratified by the Constitution made by the convention in 1836.— The Constitution merely says, all laws not inconsistent with the Constitution are ratified, and in another part of the Constitution Indians and Negroes are excluded from the rights of Citizens as follows,— "All persons African and the descendants of African and Indians excepted) who were &c shall be considered &c, if the Indians had derived any rights from the Treaty, these they forfeited by non compliance with the part of the agreement to be friendly etc.— It is true, a bill passed last Congress, with provisions for the sale of the Cherokee Lands, but not as Lands were owned by them outright, but lands to which they had a conditional claim.—

The Treaty should I suppose stipulate for the exemptions of Ministers from arrest, and that the same privileges granted Ambassadors &c of and acknowledged by either Nation, should be extended to those of either Nation passing through the territory of the other on their way to or from another Country to which they may be accredited.

I have taken steps to procure the De Cros correspondence for Judge Webb at Mexico, and hope to be successful, if so shall send it as directed.—

I have just received a letter from Genl Hamilton dated Paris March 29th 42. wherein he says that he will write particularly by the Great Western to sail on the 8th of April relative to his negotiations, and that he will leave for the United States the 25th May, he sends a plan of a National Bank for Texas by John Horsley Palmer formerly President of the Bank of England with a request we should publish it in the Intelligencer and forward a copy (with a letter he will write by the Great Western) to Texas, one copy I shall immediately send to the Intelligencer, and another forward to Texas, when I receive by the western Genl Hamiltons letter.

Genl Hamilton wishes to know if the interests of the 1st Damon's Bonds was paid, please answer this question promptly, as he says he would not have it paid twice.

He also says, I hope the Government of Texas, will send a Minister to Great Britain.

of the treaties, as I wish to be presented to the Queen before I leave, as Minister and to arrange every thing for the mission

Most Respectfully

Your Obt. Servt

Nath[l] Amory

Secy of Legation

Hon

Jas S Mayfield

Secy of State of Texas. —

Despatch No 66.

Legation of Texas

Washington April 30th 1841

James S Mayfield Esqr

Secretary of State of Texas.

Sir!

Mr Amory's communications remittances.

I have the pleasure to inform you that I succeeded in obtaining in a book of about 400 pages the correspondence of Gen[l] De Witt and John D Webb relative to the Treaty of 1819 of the United States with Spain, which I directed to Judge Webb Minister &c of Texas to Mexico, with a letter from myself, and placed the package under a second envelope franked by Mr Webster Secretary of State, to Mr Bryan Consul for Texas New Orleans with a Note, requesting him to send it carefully to some House in Vera Cruz to be sent by safe private Conveyance to Judge Webb.

The Military laws of the United States, for the War Department of Texas, I have this day sent franked in the same way. — The Naval Laws of the United States for the Naval Department of Texas, I shall send shortly, when published.

I received nothing from Genl Hamilton by the Great-Western arrived the 23rd Inst at New York, although he promised to write by her, but I received a second letter from him by the same Boston Packet, which brought his letter spoken of in my despatch to you 22nd Inst; in this second letter he countermanded his previous instructions to cause to be printed in the National Intelligencer of Washington, the plan of Mr John Horsley Palmer of a National Bank for Texas, and requesting he would do nothing with it until he could send some important additions contemplated to be made by Mr Palmer.

Very Respectfully

Your Obt. Servt

Nath[l] Amory

Secy of Legation

Private.

Broadlands 2nd Jany 1841

My Dear Sir!

As I think it possible, that in the present State of the Negotiations between Texas and Mexico Mr Burnley may upon his return to Texas be employed in Mexico as Negotiator on the part of Texas; I take the liberty of sending you the enclosed note, to introduce Mr Burnley to Mr Pakenham, our Minister Mexico; and I have in that note requested Mr Pakenham to place himself upon footing of Confidential intercourse With Mr Burnley, and to afford him all proper assistance in the negotiation with which he may be charged

My Dear Sir

Yours Sincerely

Gen Hamilton

Palmerston

Mr Hamilton
Relating to
his negotiations
for the Loan
and other
matters

My Dear Sir! London January 5th 1841

I regret that I am unable to inform you, that the loan is negotiated. But unfortunately the severe pressure on the money market yet continues, France is yet in a disturbed State, whilst She, together with all the large continental powers are about to come into the market with heavy loans, which a most depressing influence on our negotiations.— But above all, the last Steamer brought out the intelligence that our Treaty had entirely failed in his negotiations, and that Mexico was about to commence promptly and effectually against Texas— although I knew that the last was entitled to very little consideration, yet we are unable to persuade Bankers, who are the most nervously sensitive beings on the face of the earth, of this truth, and hence the hope I cherished, that by the first of January we should be able to do something effectual, is yet deferred.

When I tell you that not one American Loan, has been negotiated in Europe this whole season, that the rate of interest on British Securities is 4 per cent; and that money can be used at the rate of 10 per cent on private bills, I leave you to judge what a most unpropitious State of things we have had to contend with— But we have made do, but timed progress towards their ultimate accomplishment of our object. We have secured the active interest of the best powers here and on the continent in our negotiation, who have promised to take the speculation in their hands and under their earnest consideration the moment the market opens for us Barclay and myself have agreed a Treaty with a large and most respectable Banking House here, for an advance on our bonds, stipulating that they shall have the agency of the Loan, whenever in their opinion they think it can be placed, without a sacrifice in the market.. We are in treaty likewise with Mr Dandon the agent of the Bank of the United States, to procure the guarantee of the Bank on the pledge of our Bonds for the advance, the last of which, from the friendly disposition Bank, we think we shall without failure accomplish. I deeply regret, that a decision cannot be obtained in time to enable Mr Barclay to convey the intelligence; but he goes out under the following circumstances of urgent policy and necessity.

Our Bankers, both here and in the continent, tell us emphatically that nothing could have a more propitious influence, whether in the negotiation of the Loan, or the procurement of an advance on the bonds, than that one of us should forthwith repair to Texas, force the necessity of the prompt ratification of the Mediation Treaty, and inculcate the indispensible necessity of Texas abstaining from all hostile movements on Mexico, until her decision as ascertained on the recal Treaty I have concluded with Great Britain.. Indeed we are assured that whilst nothing would destroy all hope of a successful negotiation of the Loan, so soon as any offensive movement on Mexico, nothing at the same time would cause a more favorable influence, than to have it assumed that Mr Barclay had proceeded forthwith to sustain the counsels of peace.

In a conversation I had with Lord Palmerston he concurred in these views and thinks if Texas should deem it expedient to have a Plenipotentiary near Mexico, that Mr Barclay, who is familiar with our whole negotiation, who has likewise been in direct communication with the Mexican Bondholders, of all persons is the best qualified individual to undertake such a mission.

He has therefore acted on the presumption that Your Excellency would concur in these views, and in the event of your sending an Envoy to Mexico to watch the movements of the Government in case they were prepared to treat that Mr Barclay be on the spot, with the means of enlisting the good offices of Mr Pakenham, he has enclosed a letter to this gentleman on this

I herewith transmit you, assisting a despatch in favor of Mr Burnley as he could well in

My plan, in consultation with Mr Burnley, is, that he should be furnished with plenary powers, to treat with Mexico on the basis of my London Treaty; but go down privately to Mexico in an American Merchant Vessel from New Orleans, as an American citizen, bein provided with a passport for this purpose, by the Government at Washington, to place himself in confidential intercourse with Mr Pakenham, and at any moment that gentleman may advise him, that the Mexican Government are prepared to accede to the London Treaty, close at once, under such instructions as he may receive at Austin. — In the mean time I will remain, Main every nerve to command success; and if in the present month I obtain an advance, I will send out the necessary Credits to meet Mr Burnley in New Orleans, tha he may draw for the immediate relief of the Government of Texas.

I can only tell you, that I am in constant and favorable communicati with the most powerful and, most influential and respectable Houses in Europe. — But if I fail in the next fortnight in negotiating the advance, I will proceed to Paris, open a neg tiation with Baron Rothschilds, and make a strong appeal to the good faith and magn animity of the French Government. — Depend upon it my good Sir, I have nailed my Colors to the mast and will not abandon my trust until all hope is utterly extinct. — I will then repair to Texas and join with you counsels that shall take resolves rather from courage than despair. — With a pacification with Mexico, we could negotiate our Loan in a fortnight; But this She has the means to withhold, but how long She may sullenly withhold, will be a question which must be discussed, when I assure you the Loan can not be negotiated; but I believe in spite of all difficulties, that we can, with a little more perseverance and patience.

I cannot close this letter, without adverting with the sincerest gratitude and acknowledgements of the distinguished services of Mr Burnley in the cause of Texas, he has contributed by his writings and conversations largely to make her be known in Europe, and has aided me most essentially by his advice in every step I have taken in my diplomatic negotiations. — If he goes out to your side, the wish of it is to transfer himself to a new and more important sphere of usefulness from which, understanding the whole subject, he may aid me in my movements here.

You may rely on his probity, talents, address, courage, and entire devotion to the Re lic, and from his intimate acquaintance with public opinion here, is of all men t best qualified for the confidential trust to which with every confidence I have venture to suggest your Excellency in case of necessity you should call him.

I did not apprise you of the Slave trade Convention which I ha concluded with Lord Palmerston to ensure recognition, because I was fearful una ble by those explanations Mr Burnley might afford it, would be liable to misco

Referring you to my letter to the Secretary of State, and my correspondence wi Palmerston, I have only to add that I am sure you will concur in the necessity o acquiescing in such a convention; when Mr Burnley shows you the opinion of the Solicitor of the Bank of England, who advised us, that no valid contract could be in the security of the bonds of an unrecognized Government. — This of course made the recognition of England a measure of indispensible importance. — But when you se the Treaty and see after all, the right of search is to be exercised on Texan vessels only warrant, that they are to be brought into your own ports for adjudic the coast of Texas is to be exempt from visitation. — I hope you will find objection to giving to the Treaty your high sanction. — I have no hesitation in sa how much injury the rejection of the Treaty would do Texas in public while the ratifications would be equally beneficial. I am happy Message has been communicated in favor of the London proposed Indeed Texas is becoming an object of intense ment that she will be soon

long spared on suspicion of unfaithfulness and treason?

I must beg that these letters may not go into the public journals. of course it is at the disposal of yourself for all other purposes. Some Paragraphs of course would not like the reference I have made to mine should be made public.

In conclusion allow me to assure you of the great esteem with which I am

Respectfully and faithfully Yours.

His Excellency
M. B. Lamar
President of Texas

A. Hamilton

Mr Hamilton's letter of State relating to the subject of the Loan

Paris February 7th 1841.

To the Hon
Mirabeau B. Lamar
President of State &c.

My Dear Sir

Since my respects to you of the 1st inst. I have nothing further of interest to communicate. My negotiations with the Rothschilds, although progressing favorably, have not been brought to a close. We are however, by the 12 or 13 to come to a definite arrangement. They have taken the subject up in cordial earnest, and if they can possibly see a fair chance of selling the bonds, or their certificates or debentures founded on them, they will unquestionably take the loan.

The Ministry are considering my propositions, & the time they have occupied probably in deliberating, proves that they deem them of some value. I shall urge their reply in the course of the present week, that I may make up my despatches for the next steamer in a satisfactory shape to myself.

I am more satisfied that a most effective system for the sale of the public Lands in Texas, may be formed by the establishment of Land Boards, for the sale of Public Lands, by which her public debt may be paid in one year, without being felt by her people, and be made the means of augmenting the population by introducing a most valuable class of emigrants. not paupers, but those who carry with them the means of adding to the public wealth. If Mr Burnley had not time, to bring this subject to the view of the Congress of Texas, I shall not leave Europe without having a system devised by the most experienced heads to submit to that body. For I do not desire to be instrumental in adding to the public debt of Texas, without at the same time suggesting some means to make such additions as little of a public burden as possible.

When the Loan is effected, you ought to have a National Bank. a real effective organ of public credit, not a mere paper manufactory. Meanwhile this new Congress has swept clear of all private under-operations, under every small parcel whatsoever

With my kindest and my respectful salutations to the President, and with the strong hope of soon communicating decidedly and definitely good news to you.

I remain My Dear Sir, with esteem very Respectfully
Your Obt Servt

A Hamilton

Mr Hamilton to Sec of State Relating to the Loan

Mons A Dispeaux
Secretary of State.

London March 3rd 1841.

My Dear Sir

I have just arrived in London from Paris, and have only a moment to apprise you that on the 12th of February I concluded a contract with the Bank of J Laffitte & Co of Paris for the Texan Loan.

If I succeed in obtaining the guarantee of the French Government, of which I have a fair prospect, I shall make a most propitious negotiation. If I fail in this, the rate at which I have negotiated must of course approximate more nearly to the credit of the Government of Texas. In the first place, I shall get a price approaching French Stocks.

I return to Paris in a few days to continue my negotiation for the guarantee of the French Government by a supplement with Mr Guizot, which would be worth between 2 & 3 Millions to the Government of Texas. As this negotiation would take a month, and another month for Messrs Laffitte & Co to issue the new French certificates of Stock on the security of our bonds, it will be July before any part of the Loan will be available in New York. I will however, write an official letter to the Secretary of the Treasury by the Packet, which leaves this on the 10th inst, detailing all the particulars in regard to the Loan. In the mean time, it will be desirable that neither himself or the Congress should make any movements in relation to the Loan until he hears from me.

I enclose a copy of my letter to Lord Palmerston as to the Mexican debt and indemnity which you ought to have had long ago. If the Treaties I have concluded, and my new Commission as Minister to the Court of St James, if I have been appointed, pray transmit them to Col Bee, to be forwarded me immediately.

I have only a moment to spare you of the extend, with which I am very Respectfully Yours. J Hamilton.

Mr Hamilton to Palmerston Relating to the Mexican Government, in procuring a pacification between Texas and Mexico, and the assumption by the former, of a portion of the public debt of the latter, have hitherto been entirely verbal, I beg leave to transmit you, this despatch, that the reasons and motives, which Great Britain may influence the Republic of Texas in making this assumption may not be liable to any serious misinterpretation.

London Nov. 5th 1840.

My Lord.

In the first place, I must enter a protestando against the inference, that Texas is bound in any degree, for any portion of the debt on any principle of international law, or by any one obligation of private.

Mexico violated the Charter she had granted to Austin's Colonies, one of which, the Anglo Americans had emigrated to Texas, and received the savage tribes, with whom Mexico was incapable of coping. These were accompanied by atrocities which rather belonged to the dark ages in which we live.

Texas consummated her independence in 1836. in 1837. after she had lost all possession of, and sovereignty over Texas, she concluded a treaty of Amity, Commerce and Navigation with the United States, and assigned certain portions of public Lands in several of her provinces or Departments, as a security of the bonds. She was guilty of the absurd mockery of including, those situate in the Department of Texas, where she never had a foot of Land, over which she exercised no control.

I need not insist, I am sure

Convention, as far as

which have induced you to come forward and offer its intervention, in producing a pacification between the two Countries honorable to both.

If therefore Mexico will consent, to a truce with Texas within thirty days, after the communication of any convention we may conclude on the subject, by Her Majesty's Minister at her Capital, and in sex months after will conclude a Treaty of Amity and Commerce with Texas, which shall provide for a satisfactory and well defined boundary between the two Countries, I will be quite willing to come under stipulations, that Texas shall assume one Million Sterling of the public debt of Mexico, contracted by Mexico, prior to the year 1830. ~~Her value it has acquired since~~ which is precisely the sum, the United States offered for the whole Country in 1830 – The value it has acquired since, has been conferred on it, by the enterprize heroism and intelligence of the Citizens of Texas themselves, and is a just and honorable acquisition of their arms.

Nor I desire to be regarded as a voluntary concession – For I conceive Texas, no more bound to assume a portion of the public debt of Mexico, than the thirteen american Colonies achieved their independence, were bound to assume a share of the National debt of Great Britain. Your Lordship however, in our conferences, never pressed this as a matter of right; altho' I have not failed to recognize the zealous attention and regard, you have paid to the interest of a class of Her Majesty's subjects, who have long suffered under the bad faith of Mexico and whom under a just equivalent to the citizens of Texas, I shall be gratified if they shall be instrumental in indemnifying.

In conclusion I have the honor to remain, with distinguished Consideration and respect

Your Lordships most
Obt Servt
A. Hamilton.

The Right Hon
Viscount Palmerston
&c &c.

British Consulate
New Orleans July 30th 1841.

Sir

The enclosed letter has just been forwarded to my care by Her Majesty's Consular Agent at Tampico, who having no other means of transmitting it, has sent it to me with a request that I would forward it to your Excellency.

I have the honor to be with great respect, Sir
Your Excellency's
Most Obt. Servt.
John Crawford, Consul.

To
Gen. Lamar
President of Texas.

Mr. Palmerston to President – subject of slavery

Foreign Office
April 8th 1841.

Sir:

I have been requested by Lord John Russel, Her Majesty's principal Secretary of State for the Colonial Department, to convey to Your Excellency his thanks for the communication dated the 19th of October last, which you were so good as to make to him on the subject of Slavery in the Republic of Texas, with reference to the late conviction at Barbadoes of John Taylor for carrying negroes from that Island into Texas, and I beg to assure Your Excellency that I feel great pleasure in executing, as I now do, this wish of the Secretary of State for the Colonial Department.

I have the honor to be, Your Excellency's most Obt Humble Servt
Palmerston

His Excellency Gen Lamar

To His Excellency
The Minister of Foreign affairs
of the Republic of Texas.

Department of State
Washington 10th April 1841.

Sir.

Mr George W Flood, who has for some time resided near the Government of Texas in the character of Chargé d'affaires of the United States, being about to return to his country, I have directed him to take leave of Your Excellency at the proper time, and to embrace the opportunity which will thereby be afforded him to convey to Your Excellency the expression of the friendly sentiments entertained by the President towards the Republic of Texas and of his desire to preserve and improve the relations of harmony so happily subsisting between the Two Countries.

I avail myself of this occasion to offer to Your Excellency the assurance of my distinguished Consideration.

Danl Webster

Gen Arista to President giving information of the intended movement against the Indians

Head Quarters of the Army of the North
Office of the Commanding General
Camp Rayos 21st April 1841

(Confidential)

To Mr Mirabeau Lamar

Sir.— In that Spirit of confidence, usual amongst men of honor, I address you this communication, which will be handed you by Don Rafael Urube, despatched by me, for the purpose

The Indians ferocious and sanguinary and perfectly faithless, should be driven beyond the bounds of civilization, and to effect this, a force will soon move from the banks of the Rio Bravo.

At the present time War should be carried on, with frankness, and gentlemanly generosity, compatible with the customs and civilization to which fortunately both men and Nations have arrived in this age.

Therefore in accordance with these maxims, I make known to you, with the frankness of a Soldier, and with the noble Conduct, which should govern all hostilities that the expedition has not in view, as might be supposed, a surprise upon those Colonies; but strictly to chastise the ferocious enemies of humanity.— This expedition will not Commit any acts, which will injure any of the inhabitants or citizens of the Country, through which it may pass.

This Communication must only be interpreted as a manifestation of the sentiments I entertain, for the success of the campaign against the Indians; and not as a cessation of hostilities between us.— Our difficulties originating, since those Colonies declared their pretentions to Independence, will be settled at some better time, either by the force of reason and judgment; or if that fail, upon the field of battle.

I am Sir,
Your most humble Servt

Mariano Arista.

Mr Jewett Relating to the steps taken in the case of the difficulty between Mr Salazar & Pilsbale &c &c.

Austin May 16th 1841.

Hon James S Mayfield
Secretary of State

Sir: In reply to your letter of which I received on my return to the City, after an absence on which time I was attending to my

I have to State, that on the morning of the 25th

Chargé d'affaires &c. complained had been made upon his own person by Mr Richard Bullock.

As full an investigation of the testimony relative to the transaction I was made, as it was in our power to bestow.- One of the individuals who was standing near Messrs Saligny and Bullock, at the time of the alledged assault, Major George Bonnell of this City, was a member of the Grand Jury.- Major Bonnell was not looking at the parties when the meeting first took place; but his attention being attracted by their conversation he turned quickly to view them. He did not see Mr Bullock strike or lay his hand on Mr Saligny, or make any assault upon his person, though he is of the impression that Mr Bullock might have done so; but to this he cannot swear positively.- It was upon this testimony that the Grand Jury were induced to find a Bill of Indictment against Mr Bullock, (with) the expectation that at a future day, the testimony of the individual who was nearest the parties, and who saw the whole affair, might be procured.- That person was Mr P. J. Hunter of this city, who has been absent now, nearly six weeks on a campaign against the Indians under Capt. M B. Lewis.. His testimony can doubtless be obtained at the next term of Court, and it is absolutely indispensible to the succesful prosecution of Mr Bullock.- I was therefore constrained to have the case continued.

I would further state that the Grand Jury also preferred an Indictment against Mr Bullock for an assault upon Eugene Plagette, the Servant of Mr Saligny, committed in February last.- On account of the absence of a material witness in this case also, I did not think it prudent to risk a trial, and therefore procured a continuance to the next term of the Court.

I also think it proper to state, that in the course of my official investigation, I have discovered so strong a sympathy existing in the Community favorable to Mr Bullock, that I am satisfied, without the clearest and strongest testimony to support the charges against him, it will be impossible to obtain a verdict for the Republic, from a petit Jury.

Mr Bullock has been recognized in the sum of one thousand dollars, par funds, together with two good and sufficient sureties in the sum of five hundred dollars, for his appearance at the next term of the District Court. The witnesses, also are under ample recognizance for their appearance at the same time.

I have the honor to be
Your Obt Servt
Henry R Jones
Dist Atty E Judicial

Mr Elmore to Secy of State Relating to different subjects

No 1.

Relating to his appointment

Sir,

London May 18th 1841.

Owing to various trifling casualties and unavoidable delays which occurred in travelling from New Orleans to New York, and to a long voyage from thence to this Country, I did not reach London till last week, when I immediately proceeded to deliver my despatches to Genl Hamilton. The Genl will have informed you of the difficulty which has occurred with regard to the immediate ratification of the British Treaties, owing to that which was brought by Mr Burnley having been too late to obtain the consideration of Congress, and to this Governments objection to sign one without the other.. The delay is much to be regretted, as of course it must have the effect in some measure retarding the interest of the Republic in this country.. During the interval the Texan Minister can be

nothing more than Envoy or Commissioner; and, with regard to myself, the Exigencies
not as Consul must also be equally delayed; tho' I presume I shall be able to authenticate
documents going out to Texas, and that the authentications will be there respected, as there
are several of importance which individuals wish to send, and with regard to which delay
would operate very injuriously.

If I find it can be done with propriety it may also be desirable
for me to appoint (according to the power vested in Consuls) a temporary Consular Agent
in Liverpool, as I think it will be necessary that an authorized Commercial Representative
of the Republic should, as soon as possible be established in that port. In the selection
of the individual I should be chiefly guided with a view to his character and influence,
and tho' the appointment might be only pro tem. I should think he would remain until
the Government had some other individual or recommendation in view.

Genl. Hamilton still looks forward to the late change of the Texan
Government which is expected to succeed the present one immediately, being less
precise with regard to the Treaties, and to them ratifying one without the other; but
I fear he will be disappointed in this expectation.

There is little fear that war will now take
place between Great Britain and the United States, a proposal in favor before the
Country for taking off the duties on foreign Sugar and timber, which I mention as
bearing on the future interests of Texas. Nothing however can be said of the immediate
prospect of effecting this change though I trust it will ultimately take place.

Should the Texan Government wish at any time to make Contracts for
such kinds of Military, naval or other Stores as can be obtained more cheaply here
than in the United States, I have Connexions who would undertake to furnish them on
terms more advantageous than I think, could be easily obtained elsewhere. I would also
venture to suggest that very advantageous dispositions of public land might be
made in this Country.

May I beg the favor of you causing the enclosed letters to be deliver-
ed

I am Sir
Your most Obt. Servt.
James S Mayfield
Secretary of State.
Anthony Wm Shaw

Mr Hamilton to Secy of State
Relating to the Ratifications together with the ratifications of the Treaties of Amity and Commerce and Navigation of the Treaties which her Majesty's Government and that with the King of the Netherlands.
Between Texas and England

London May 18th 1841.

Sir:

I have the honor to acknowledge the receipt of your favor of the 12th Ult
In presenting myself at the foreign office on the 16th Inst (for it was on
the 15th Mr Shaw reached London having been upwards of two months on his
journey) Lord Palmerston reminded me of an Stipulation and the invariable
practice of European Courts that treaties executed at the same time, the exchange
ratifications should be simultaneous: and as the Treaty for the suppression of
African Slave trade did not reach Austin before the adjournment of the Senate
to the unexpected delay in Mr Burnley's journey his Lordship has declined to
the two treaties brought out by Mr Shaw, until the third arrives. I hope
that his decision is made without the smallest change in the friendly disp
of Her Majesty's Government, but in strict conformity to established rules.
As the congress of Texas will not set until October next, I
that his Lordship and myself should extend the time for
Ratifications, we accordingly have [illegible] Concluded
which I enclose

or Chargé can be recognized or received at this Court until the exchange is made. I shall retain my full powers for the purpose of ratifying the Treaties the honor of which is the only remuneration I seek for my diplomatic services.

I shall be in Austin a week before the meeting of Congress to afford such explanations of the Slave trade convention as I trust will be satisfactory to all branches of the Government, and be prepared to return via the Sperring to England to exchange the Ratifications, after which I will most cheerfully surrender my appointment. As I have put the Republic to no pecuniary loss by this arrangement, I hope it will be satisfactory. In the meantime it will be totally unnecessary to send out any Minister or Chargé as he would not be either recognized or received as a diplomatic Agent. I do not desire a Secretary as it would be unwarrantable for expense to the Republic.

May you to assure the President that his instructions as to any Compact or Treaty with the Mexican Band holders, shall be strictly attended to. I may make acceptable references to him, my thanks for the appointment as Minister Plenipotentiary and Envoy Extraordinary to this Court, under which he has honored me, and for which I have received my Commission and the necessary letters of credence.

I have the honor to remain with great respect
Your Obt Servt

Hon. J. Mayfield
Secy of State &c. &c.

J. Hamilton

Protocol of Conference held at the foreign office, May 19th 1841 between the Plenipotentiaries of Great Britain and Texas

Protocol of Conference to obtain the time for the Ratification of the Treaties between G. Britain and Texas

Whereas, there was concluded between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Republic of Texas on the 13th Novr 1840 a Treaty of Commerce and Navigation and on the 16th Novr 1840, a convention containing certain arrangements relative to the public debt and on the 16th Novr 1840 a Treaty for the suppression of the African Slave trade, and it was stipulated that the ratifications of all these Treaties should be exchanged at London within nine months from the time when they were respectively signed and whereas, unforseen delays retarded the journey of Mr Burnley, the gentleman by whom the originals of the last of these Treaties was forwarded by the Texan Plenipotentiary to his Government. and Whereas, the Congress of Texas dispersed this year earlier than was expected and was not longer sitting when Mr Burnley arrived at Galveston, — And Whereas, in consequence of these circumstances the Texan Senate, have not as yet advised and consented to the ratification of only two out of the three Treaties.

And whereas, it was agreed between the British & Texan Plenipotentiaries that the ratifications of all the three above mentioned Treaties should be exchanged simultaneously.

And whereas, the Texan Congress will not meet again until the month of October next — The Plenipotentiaries of Great Britain and Texas who signed the three Treaties aforesaid having met together have agreed and do hereby agree and declare that the time for the exchange of the ratifications of said Treaties will be extended to the first day of June 1842.

Gen Hamilton
Relating to the subject of the Loan

London May 17th 1841.

(Private)

My Dear Sir:— My despatches to your Secretaries of State and of the Treasury will inform you how our business is progressing in Europe and of the unexpected ch[ange] I have received from the French Minister of Finance; but as I feel assured of the good dispositions of the King, I trust my visit to Paris will set all things right.— Unless the Minister of Finance should positively refuse to allow us to sell our Bonds on the Bank, Mr Saffitte is resolved with all the courage and firmness which belongs to his character, to carry the Loan triumphantly through.— The French Government cannot without a breach of faith unexampled even in the treachery of modern diplomacy refuse us this privilege; if they do, I shall have to let Messrs Saffitte & Co off their contract, and denounce the conduct of the French Government in the face of all Europe.— I think they will find old Saffitte and myself rather troublesome customers.— If however, he is compelled by the perfidity and injustice of his own Government to quit the field, I think the Loan under the excitement, will stand a fair chance in England and Holland of as good a contract.— But Messrs Saffitte & Co write me, that they are resolved to go it, if they are only allowed the privilege of selling the Stock on the Paris House.— I subjoin the advertisement they have published in the French Papers.

My letter to the Secretary of State, will inform you of my diplomatic proceedings.— I am gratified at the delay in the ratification of the Slave trade treaty; as it will enable me to vindicate and sustain this compromising to the Senate in person; and before November such events will occur in regard to the exercise of the right of search between England and the United States as will demonstrate the necessity or expediency of Texas becoming a party to such a treaty.

I shall hope to return in September. In the mean time it will be unnecessary to send any other Minister or Chargé as he would not be received or recognized and would have nothing to do, and be an expense to the Republic and as I cost you nothing, I am a safe Minister, at least, in this respect.

Our friend Judge Burnet I am told simultaneously with my appointment appointed Genl Green to supersede me; which would now be of no avail.— I am to well apprised of the kindness and friendship of the Judge, to believe it done with any intention to hurt my feelings; although it would have been regarded before my return home and of my Mission as a public m[atter] of disapprobation.— I am delighted to hear of your recovery and remain My Dear Sir, with esteem yours faithfully and respectfully.

J. Hamilton.

His Excellency
President Lamar.

Mr Saffitte's advertisement in all the Paris papers on the 4th May.— "General Office of Commerce and Industry"

Notice—

Messrs James Saffitte & Co have taken upon themselves to a Loan of 37 Millions of Francs on account of the Texan Government upon the following understanding, which is expressed in their agreement viz:

Article 10.— The present contract is concluded upon a formal assurance by the Texan Envoy that he has obtained the Consent or admission of Government to the above Loan, and a further assurance that the said will facilitate with its moral aid the negotiation of the said Loan, the Texan Envoy has furnished us with the documentary proofs.— [illegible] shed on the 6th Inst and the Messenger which are the very Govt being of a nature to inspire the [illegible] with the [illegible] confidence

(Despatch No 68)

Legation of Texas
Washington May 20th 1841

Sir

Mr Amory forwards dispatches

I have the honor to acknowledge receipt of your Communications of 20th 21st and 26th April last. with accompanying copies of correspondence with Mr Saligny French Charge d'affaires, and Commission for Alexander McGee as Consul at Cincinnati Ohio, for which, as the United States have refused to acknowledge at that Post, I shall take no steps to obtain an exequatur until further instructed.

Miscellaneous

On receipt of these various despatches and documents, I immediately wrote to Genl Hamilton acquainting him with the situation of affairs between Mr Saligny and the Government of Texas, referring him to Mr McIntosh—, Charge d'affaires of Texas, who I informed him had been furnished with all the Correspondence and to which he could of course have access. I also in accordance with your direction notified him that the Congress of Texas would be convened for the middle of June, the letter I send by a Sail Packet just ready from New York, no Steam Ships offering for a fortnight after.

From the masterly manner in which the Saligny Correspondence was Conducted on the part of Texas, as well as her adoption of every possible means to afford satisfaction to the Representative of France.— I feel Confident that no unpleasant Consequences can result, to disturb the harmony or interrupt the friendly relations so happily subsisting between the two nations, and at the present time extending through the cautious of General Hamilton as Negotiator; although I must Confess before receiving this truly satisfactory exposition of the affair, I had experienced serious apprehensions, that the efforts making to obtain the guaranty of France to the Loan would be rendered abortive through this important altercation and the anticipated benefits lost to the Country; but so palpably wrong and injudicious has been the conduct of Mr Saligny, that I cannot for a moment doubt that it will receive the Condemnation of his government.

Relating to this Treaty

With due difference for your opinion as to the proper Construction to be placed upon that part of the Treaty of 1831 between Mexico and the United States, which says "that the Indians of one nation shall be prevented from making incursions into the Territory of the other", and which you say means "incursions whether peaceable or not."— I would respectfully suggest that I do not Conceive that the word "incursions" can be applied to peaceable immigrations; but only to inroads for the purpose of plundering or depredating; but these peaceable immigrations may be considered as having become incursions by subsequent ill Conduct, and the United States was bound to restrain their Indians by force from all hostilities &c. within the boundaries of Texas (in the words of the Treaty) "So that the United States of America will not permit their Indians to attack the Citizens of the United Mexican States."

In your next despatch you will doubtless enumerate the Indians which you Consider the United States are bound to provide for, and the kind of provision, and interference which you may Consider necessary and right on her part, of course not exacting more than strict justice and Treaty Stipulations will justify in order that an appeal be successful.

I happened to have learned from undoubted authority that Judge Eve has just signified his acceptance of the appointment of Charge to Texas, this please Consider private information.

Herewith I furnish a copy of a Communication addressed by myself to Mr Webster Secretary of State of the United States on his return to this City yesterday.

A Amory to Mr Webster

Mr Amory
Mr Webster
Relating to
Indian
depredations
and
Spoliations
and
Relative
matters

Legation of Texas
Washington 19th May 1841.

Sir

The undersigned Secretary of Legation of the Republic of Texas in absence of Mr De Charge d' affaires, has the honor to present to Mr Webster Secretary of State of the United States a case in addition to the many already represented, of incursion and aggression on the part of Indians of the United States within the limits of Texas in contravention of the stipulations of Article 33rd of the Treaty between Mexico and the United States of the 5th of April 1831, now in force between the United States and Texas.

On the 18th of February 1839, the plantation of Joseph W. Robertson on the Colorado River in Bastrop County Texas, was attacked by Indians, and a number of Negroes forcibly carried away, of which it has since been ascertained, two are in possession of the Indians near Fort Towe on the Canadian River, at the crossing of the Military road leading from Fort Gibson to the mouth of the Washita, to which place Mr Robertson himself traced them; but finding in the vicinity a band of United States Cherokee Indians who were expelled from Texas in 1838, he was obliged to make a hasty retreat into Texas pursued by the said Indians.— For a detailed account of the transaction the undersigned would refer to the Copy of a Communication from the said Robertson of April 7th 1841 to the Secretary of State of Texas herewith enclosed relying that no time will be lost by the Government of the United States in taking measures to have restored to their owner the two Slaves herein mentioned and to cause an investigation to be instituted for the purpose of bringing to punishment the Indians concerned and for obliging them to make restitution or remuneration for the further injury inflicted beyond stealing the two Slaves that have been discovered.— The undersigned would further request to be informed as to what officer may be invested with the business, in order that the party interested in Texas may have Communication with, and afford him aid in the investigation.

The undersigned begs to know the result of the measures which the Government of the United States proposed to adopt for procuring indemnity for former Spoliations of a similar nature to the foregoing, the evidence of which was furnished the Government of the United States by this Legation the 15th Ulto, and also requests to know to whom the Charge of the investigation was committed, so that in case no satisfactory conclusion has yet been arrived at the party interested may communicate with such officer, in order to hasten by information in his power to afford a successful termination of that business.

The undersigned is instructed to express the deep regret and disappointment felt by the Government of Texas at the failure of that of the United States to adopt effectual measures to restrain United States Indians from their incursions into Texas, many of whom notwithstanding the treaty obligations of United States are daily robbing and murdering the Citizens of Texas, and who nothing but an armed force competent, a considerable portion at least of such force, in the opinion of the Government of Texas that of the United States should furnish to co-operate with the forces of the former.

When similar aid was extended on by the United States stationing a Regiment of troops at Nacogdoches to keep check the United States Indians in that vicinity, those Indians had not acted into open hostilities as since the withdrawal of those troops.— and the hostile attitude since of those Indians has made the aid more indispensably necessary. The season has now arrived when Indian hostilities are generally pursued with most vigor, and much annoyance is to be expected in Texas from United States Indians, therefore an energetic course is called for on the United States in the performance of the duty which treaty obligations imposes.

The advantages enjoyed by the United States by the 5th & 6th article

to Texas, every aid from the United States which is provided for in Article 33rd of the existing Treaty.

The undersigned is instructed to inform the Secretary of State of the United States, that his Government is desirous of concluding a Treaty of Amity, navigation, and Commerce between the two nations (if agreeable to the United States to be negotiated in Texas) in which it is hoped all existing doubts and difficulties can be provided against. In anticipation of this event the undersigned is instructed formally to announce to the Government of the United States as he now does, the resolution of that of Texas to terminate the treaty of 5th April 1831 between the United States and Mexico, so far as it is binding upon Texas and the United States in all matters relating to Commerce and navigation, as soon after the present date, as is compatible with the provisions of Article 34th of same Treaty.

The undersigned begs leave to offer to the Hon Webster Secretary of State of the United States the expression of his respectful Consideration.

Nathaniel Amory

Hon Danl Webster
Secretary of State &c &c.

As soon as Mr Webster's reply shall be communicated to us.
We have respectfully
Your Obt Servts

Hon James S. Mayfield
Secretary of State Texas.

Philadelphia May 26th 1841

The Government of Texas
To Crosse, Safford & Co. Dr.

1838. July 25th Attending Custom House U. S. 20.50 $150..
Augt 31. Finding Iron Ties " " " " " 150
" " 2000 Sheets Sandpaper " " " 75
" " Tin Case " " " " " 2.50
Interest 11 Months interest on above . . 24.81
Total $ 402.81

Philadelphia June 11th 1841

Hon J. S. Mayfield Secretary of State

Sir: The above bill having now been due nearly three years, we respectfully ask of you to have the goodness to remit us the amount as early as possible.

And remain Sir
Your very Respectfully
Your Obt Servts
Crosse, Safford & Co.

(Despatch N° 69.)

Legation of Texas
Washington May 21st 1841.

Mr Amory acknowledging the receipt of despatches

Hon.
James S. Mayfield Secretary of State of Texas.

Sir. I have the honor to acknowledge receipt on yesterday of your favor of Galveston 15th May transmitting despatches for Mr McIntosh Chargé in France, directing me to forward them, together with the correspondence between Mr Saligny and the Government of Texas, previously sent on the subject of the former altercation with Mr Pilloch.

I immediately wrote to both General Hamilton and Mr McIntosh (copies of which I tabled, as well as a former one to General Hamilton of May 15th '41 I omitted forwarding) to the latter the documents above referred to. As your despatches arrived one day sooner, it would have enabled me to have availed of the Steam Packet from Boston of 1st of June, as it was said to send Gen Hamilton by the Ship South America from New York to Liverpool of 1st June, and Mr McIntosh's despatches by the New York and Nuevo Packet Charles Carroll of the 1st June which I concluded to be the best course after consulting with the Post Masters here, and which I am glad I pursued in reference to the Chargé's despatches of France as I find the French Minister adopted the same mode of forwarding his despatch (not knowing of the Packet) to his Government. This I conclude must have been from Mr Saligny as the ordinary despatches of the French Legation would of course have gone the day before to Boston for the Steam Ship from that Port as the most expeditious mode of conveyance. Therefore I am greatly disappointed Mr Saligny had not got the advantage of me in the last despatch six weeks of time.

I do not know how you forward the Saligny correspondence up to the time of your dismissal between him and the Government of Texas, but I fear it will be until the Steam Ship Britannia from Boston 16th May, and which having got on the rocks at Halifax, had to be repaired, causing delay; the extent of which I am not apprised. Should this prove to have been the case the duplicate sent by your direction in the mode before named, will be quite opportune and may afford relief from serious embarrassment. I should have copied the whole correspondence from first to last, as it is important it should be preserved in the Archives of the Legation here; but I had only a few hours to prepare my despatches for Europe, not to lose the first opportunity, consequently could not take copies. I would therefore request to be furnished with another written copy at your convenience unless congress should order the printing of the whole in which case I beg you will send me a number of printed sets.

I am very Respectfully Your Obt Servt
A. F. Amory
Secy of Legation

P.S.
I sent a few days since a small box of Congressional Documents for the Secretary of State of Texas, Care of the Collector Galveston — to Baltimore to be shipped from first report. —

Mr Amory to Gen Hamilton forwarding despatches

From A. F. Amory to Genl Hamilton.

Washington May 15th 1841

Genl James Hamilton. Care of Messrs Mc Wilson & Co. Hartford Con.

giving information of the

Sir. I have just received despatches from the Government of Texas

instantly requiring me that the President will convene Congress to meet them

with Mr Saligny

sooner, and thereby made communicate the information to you

as speedily as possible. I have also received copies of the correspondence between

Saligny Chargé of France and the Government of Texas

with Mr Pilloch &c. &c.

threatning, he is by the Correspondence placed so completely in error, and the Government of Texas has manifested throughout so strong a disposition to treat France and her representative with consideration and respect, that I cannot conceive that a magnanimous Government like the French will uphold him in the course he has seen fit to adopt, and the unreasonable exactions insisted on by him in redress of the grievances complained of. The Government on the 29th March addressed him a Communication reviewing the conduct all all concerned in the dispute, and placing his on his very favorable point of view, while is every mans shown to have been marked throughout with the nicest regard for the rights and privileges secured to the representative of France by international law and courage (a lucid and able expose) but which gave him so great offence, he declared all intercourse at an end, until his King should on review of the representations by him made decide on the further steps to be pursued, but not demanding his passport as he had previously signified his intention of doing, unless satisfactory redress should be obtained, altho declaring the Communication above referred to to be an insult &c. This declaration of his drew forth another from the Government of Texas to the effect that altho justified in ordering his recall or requiring his departure, it would do neither, and that he was permitted to remain in the new attitude he had assumed of private individual; but no longer entitled to ministerial privileges and immunities.— A copy of this whole Correspondence, sent forward to Mr McIntosh Chargé of Texas in France as the Secretary of State wrote me the 21th of April.

Now Sir, will no doubt consider the matter of sufficient importance to take you to France when you can inspect it, it is voluminous, would be laborious to Copy, while the improbability of its reaching you in time or before you see Mr McIntosh, is another reason for not having it Copied now, as no Steam Packet goes before the 1st of June and by sail it would probably be a month in reaching.

Mr Amory to Mr McIntosh forwarding despatches from this Government

Mr Amory to Mr McIntosh.

Send per Ship Charles Carrol 1st June Havre Packet for N York.

George L McIntosh Esqr
Chargé d'affaires of Texas, Paris, France.

Sir: I am very much that this and the accompaning Communications from the Government of Texas, part of which I just received by Mail, and part of which was sent me some time since to be kept until instructed in regard to the disposal of them, will be too late for the Steam Ships from Boston of the 1st of June, It is very much to be regretted therefore that the later Communications has not been sent to Boston direct, which would have gained a day and greatly facilitated their prompt transmission.— I now write to General Hamilton acquainting him with the substance of the latter portion as I did some time since of the first of the Correspondence.

I suppose you will have previously received the first portion and he will have perused it, as no doubt the great importance of the question involved will have decided him upon a movement to France so soon as informed of the dispute between Mr Saligny and the Government of Texas— Col Bee is absent for a week or two.

Yours &c &c &c

Mr Amory to Genl Hamilton forwarding certain credentials giving information of the affairs of Texas

Mr Amory to General Hamilton

Sent per Ships South America 1st June from New York to Liverpool.

Washington May 30th 1841

Gen. James Hamilton, care of Thos Wilson & Co Warnford Court London.

Sir: I have this morning received from Mr Mayfield Secretary of State of Texas, at Galveston, under date of the 17th May a communication (copy of which I annex) and accompaning instructions for George S. McIntosh Chargé d'affaires of Texas at Paris, which I am directed to forward, but fear will not be in time for the 1st June Boston Steam Packet the purport of which is to inform the French Government that the conduct of Mr Saligny since official intercourse ceased, between him and the Government of Texas, has been so insupportably arrogant, presumptious and unwarrantable, in fomenting discord between the people and Government of Texas, and in grossly abusing and misrepresenting the character and Conduct of the latter, that taken together with his conduct and the tenor of his communications previous to that time (account of which I gave you in a former letter) have rendered it imperative on the President to request his recall and the substitution of some other individual as the representative of France.

Among other charges against Mr Saligny in this last representation, is that, of having acknowledged his motive for suspending all intercourse with the present administration, to have been, that it would not be long until another would be established, disposed to do him justice, and having in the mean time determined to employ himself in warring against the present by exciting the people in the way herein before adverted to.— I am thankful Sir, that you are in Europe advantageously hope, that the difference through your exertions may be adjusted, by changing the present representative on the part of France, for some other more disposed for amicable relations, which becomes so imperiously his duty to cultivate.

Col Bee left here the morning of the 28th for Philadelphia expecting to find his son there and to take him to West Point, but he wrote me on his arrival in N.Y. that very much to his regret he had not found him, and hardly knew how to account for his delay.— Mr Mayfield's letter (copy of which follows) is addressed to me upon the supposition that Col Bee is still at Pendleton.

Yours &c &c &c &c.

Mr Bee's Son to whom reference is made in the foregoing letter passed through Washington yesterday to join his father on his way to West Point his paper of admission provides he shall be received as a Texan, which obviates necessity of four years service in the army of the United States, upon his producing his own expenses. Col Bee will return in a few days

M. A.

Mr Amory's miscellaneous matters, not much importance

Rec'd

(Despatch No 70)

Hon James S Mayfield
Secy of State &c.

Legation of Texas
Washington June 12th

Sir: I attended a Diplomatic dinner at the Presidents on the 8th Inst. (Col Bee then, as now, at West Point) & had the opportunity to say quite briefly to Mr Crittenden, that it was desired by Texas, that the Treaty should be negotiated here & he would communicate with Mr Webster on the subject. Mr Crittenden would shortly be here as his successor &

Col Pen will be here in a day or two.— Mr Edward Gibbon Blakefield of whom mention is made in the Austin City Gazette of May 19th is not here, but will not visit Texas until fall.— He had intended to have given a lecture in this place on the subject of emigration and the disposal of public lands; but the extreme heat of the weather and absorbing topics under discussion in Congress held him to believe that it would be difficult at this moment to gain attention.— And his projects are as I take him much better adapted to Texas, wishing by all means to gain population from abroad, than this Country, which is suffering already many evils from the great influx of European population — Mr Webster has not yet replied to my Communication of the 19th Ult, Col Pen will call upon him in a day or two.

Respectfully Your Obt Servt
N Amory
Secy of Legation

Mr Webster to Secy of State informing him of the appointment of Mr Eve as Chargé to Texas

To His Excellency
The Secretary of State of the Republic of Texas.

Sir:

The President of the United States having thought proper to appoint Joseph Eve Chargé d' Affaires from this Government to the Government of the Republic of Texas, I have the honor of announcing the same to Your Excellency, and of praying you to give credence to whatever he shall say to you on my part.— He knows the concern our Republic takes in the interest and prosperity of the Republic of Texas, our strong desire to cultivate its friendship, and to deserve it by all the good offices which may be in our power.— He knows also my zeal to promote these by whatever may depend on my ministry.— I have no doubt that Mr Eve will so conduct himself as to meet your confidence, and I avail myself, with pleasure, of this occasion to offer you assurances of my high consideration.

Daniel Webster.

Department of State
Washington 15th June 1841.

Mr Webb to Comm'r Cruz requesting leave to land and proceed to Mexico

Sacrificios, May 31st 1841

General Ignacio Mora.
Commandant of Vera Cruz.

Respected Sir: In consequence of some negotiations held between the Government of Her Britanic Majesty and that of Texas, I have the honor of informing you that I have arrived in order to confer with Mr Packenham, with the object of arranging amicably the difficulties which at this time exists between the Republic of Mexico and Texas, and desirous of knowing whether I will be permitted, with my Secretary, to proceed on my journey to the Capital, I take the liberty of addressing you.

If perchance any questions should suggest themselves to you, I have sent my Secretary, Mr George Lewis Hamilton under the protection of the English flag on board the Packet of Her Britanic Majesty Ranger to await your reply.... whether to go on shore, or on board, to confer with the person whom you may think proper to send for that purpose, as

should seem best to yourself.-

I take this occasion to present to you the consideration of my great respect.

James Webb
Agent of the Govt of Texas
By his Secretary
George L Hamilton

Mr James Webb.
Dear Sir:

Vera Cruz May 31st 1841.

I have informed myself of the Contents of your letter of to day, in which you have thought proper to advise me of your arrival at Sacrificios, and ask me if you can with Mr Hamilton continue your journey to Mexico.- upon which subject I answer, that I am not authorized to permit it.

Your most affectionate Obedent Servt
Who kisses your hands,
Ignacio De. Mora

Mr Webb to Mr Pakenham announcing his arrival at Vera Cruz to treat with Mexico

On board the Texan Schooner San Bernard
Harbor of Sacrificios, near Vera Cruz.
1st June 1841.

Hon Richard Pakenham
Her Britanic Majesty's Minister Mexico.

Sir:

In accordance with the Convention entered into on the 14th of November last, between Her Britanic Majesty's Govern and the Republic of Texas, I have been deputed by His Excellency the President of T to make such propositions to the Government of Mexico for the adjustment of differ as will enable you to carry into effect the objects contemplated by that Convention in the event that Mexico shall accept the offered mediation of Great Britain.

Upon my arrival here on yesterday, I addressed a note to the Comma of Her Majesty's Ships Conway, a copy of which is herewith forwarded you.- To this no I received a verbal reply from Commander Mapleton, stating that he was compelled proceed to sea by the first wind, but while he remained in port, he would afford m the protection asked.- He also immediately despatched a boat to Torro, to ascertain whether or not any instructions had been received from Mexico, in reference to the recept of an agent from Texas under the Convention with Her Majesty's Government; but to t enquiry, no satisfactory was received, as it was said, the Commandant of the port w absent, and Her Majesty's Consul had no information upon the subject.

By the advice of Commodore Mapleton, I this morning despat my Secretary to Torro under the protection of Her Majesty's flag, with instructions have an interview if possible with the Commandant of the place, and to ascertai whether or not, I would be permitted to land, and proceed to Mexico- and if whether the flag of truce under which I came into the Harbor would be respe and the Vessel be allowed to remain until I could communicate with you a Mexico? My Secretary having failed to obtain the interview desired, addre note to the Commandant, to which I received the accompanying reply, and I am informed, that I cannot be permitted to proceed to Mexico.- I informed, that the Commandant verbally stated to Her through whom Mr Hamiltons note was conveyed, that the be permitted to remain in this Harbor, but that she day to receive the answers to the de

I have therefore n

sea, with the intention of returning in ten or fifteen days for your answers.

You will perceive that by the terms of the Convention (a copy of which with its ratification by the Government of Texas I have the honor herewith to forward you) that my Government has undertaken to pay One Million of pounds Sterling of Mexican foreign debt, provided a Treaty of peace is entered into between the two Countries through the mediation of your Government; and it is for the purpose of enabling you to effect that Mediation in the most effectual manner, and to negotiate such a treaty, that I now present myself to the authorities of this Country, to make such propositions for the adjustment of our differences, as it is hoped, will lead to that most desirable end. — My powers are very full, as Commissioner, and also Minister Plenipotentiary, should I be received as such, in each of which characters I am furnished with letters of credence to His Excellency the President of Mexico.

Herewith, I also beg leave to hand you the Copy of a letter addressed by the Secretary of State of Texas to you, in reference to the object of my Mission; and also the Copy of a letter from A. J. Burnley Esqr. (lately associated with Gen Hamilton in Europe in the negotiation of a loan) Mr Burnley's letter covers one from Lord Palmerston which being under seal cannot be copied. — I would forward the originals of these, instead of the copies, together with Lord Palmerston's letter, had I not been advised to retain them until I could deliver them personally, on account of the risks which a conveyance by mail involves.

I cannot believe that when the olive branch of peace is a third time tendered to Mexico, it will a third time be refused, especially as it will now be offered under circumstances which are evidently so decidedly advantageous to her, and may be accepted without inflicting the slightest wound on her national pride. — We now present ourselves rather in the character of purchasers of the Country, than as conquerors, and as such, Mexico can treat with us with as little mortification of feeling as though hostilities had never existed. I therefore sincerely hope that you will have no serious difficulty in obtaining from the authorities at Mexico, permission for myself and Secretary to land at Vera Cruz and to proceed to Mexico for the purpose of entering into such negotiations as may result in the establishment of a peace not only mutually advantageous to both Countries, but which will be permanent in its Character.

In Compliance with what I have understood to be the desire of the Commandant of Vera Cruz, I shall proceed to sea tomorrow morning, but shall return again to this Harbor as soon after the expiration of ten days from this time, as the vicissitudes of the weather will permit, under the hope of then receiving from you an answer to this communication, and permission from the authorities at Mexico to proceed in the object of my mission.

I have written to no one at Mexico besides yourself, believing that an application for my reception made by you, would be much more likely to succeed than if addressed by me to any officer of this Government; and having been assured that you would do whatever was necessary to be done, in reference to this matter.

I have the honor to be, with great Consideration and respect
Your very Obt. Hble Servt

James Webb

Mr Camacho to Mr Pakenham refusing to receive Mr Webb as agent from Texas

National Palace of Mexico
June 8th 1841.

Sir:

The undersigned &c. has had the honor of receiving a communication of Sen D. Ricardo Pakenham of to day in which he is pleased to impart to him the arrival at Vera Cruz of the Commissioner from Texas for the purpose of making propositions to the Supreme Government on the adjustment of the difficulties existing between Mexico and that Department, expressing the earnest desire of Her Britanic Government that the opportunity now presented to conclude them upon honorable and advantageous terms will not be refused

Having placed before His Excellency the President of the Republic this communication in order that he might accord that which is most suitable to a subject apparently of so much importance.— His Excellency after a most mature and deliberate examination has been pleased to instruct me to answer Senr Pakenham, as I have the honor to do, that the Government of Mexico has had no reason to change her opinion, thereby ceasing to appreciate the question of Texas in the same manner in which she appreciated it, when she contested on the same subject with Mr Pakenham, which information is to be found in the note to that effect which the Minister addressed to him on the 11th December 1839.

Notwithstanding this conviction His Excellency the President duly esteems the friendly solicitude of Her Britanic Government to bring this question to a pacific termination, and he highly regrets not being able to serve his ardent desires of obtaining it— But His Excellency the President not being able to depart from the principals of honor and justice which prohibite him from recognizing a dismemberment of the territory, and sanctioning the most remarkable act of ingratitude, with which it could have corresponded to a magnanimous and generous nation, usurping those rich lands when she exercised her hospitality with those who came to seek it.— Besides Mr Pakenham is not ignorant that since the commencement of the insurrection of the Department of Texas, innumerable Slaves have been, and are continuing to be introduced, that trade from which humanity turns with horror, and for which cause alone, even if there were no others, the Mexican Republic and its Government never would bind themselves to an act equivalent to the sanction and recognition of Slavery

The undersigned &c.

Sebastian Camacho

Mr Webb (Copy) Mr Pakenham announcing his arrival at Vera Cruz for the purpose of entering into negotiations &c. &c.

Her Britanic Majesty's Mission
Mexico 10th June 1841.

Sir:

I have the honor to acknowledge the receipt of your letter of the 1st inst. informing me of your arrival at Vera Cruz, for the purpose of making such propositions on behalf of the Government of Texas to the Government of Mexico as might enable me to carry into effect the objects contemplated by the Convention of the 16th November last; and it is with great concern that I have now to transmit to you the answer contained in the enclosed copy of a note from the Minister for foreign affairs, which the Mexican Government have delivered to me in reply to my Communication announcing your arrival at Vera Cruz, and the object of your Mission to this Country.

This answer, you will perceive, is altogether unfavorable, as it makes known the present determination of the Government not to depart from the line of Conduct with reference to Texas pursued to this moment, a copy of which I do enclose, and which you will observe when the good offices of Her Majesty's Government were offered with a view to

(Over)

Mr Pakenham
Mr Webb
announcing
answer of
delay of his
of Mexico
substance of
communication
to them.

I think it necessary to observe to you that this determination has been taken by the Government of Mexico before they have had official Communication of the Convention of the 14th November 1840; in fact, I have not yet been instructed by Her Majesty's Government to make that Communication, although by permission of Viscount Palmerston, the substance of the Convention was some time since confidentially made known to persons in office here.

It accordingly occurs to me that it may, perhaps, suit the views of the Texan Government, whose policy I imagine it to be to avoid coming to extremities with this country, to allow the question to remain upon this footing for the present, and to wait for an opportunity to readmit negotiation under more favorable circumstances.

I have, on various occasions, taken the liberty to express to the gentlemen acting for the Government of Texas, with whom I have had the honor to communicate, my conviction that it is entirely for the interest of Texas to forbear from any hostile acts of hostility or aggression towards Mexico, as long as Mexico refrains from active hostilities against that Country.

The Government of Texas, I have no doubt, possess sufficient information as to what passes in this country to enable them to judge how far it is possible that Mexico will be able, and how soon, to undertake an expedition upon a scale to endanger the safety and independence of Texas. The longer such an expedition is postponed, the less likely it becomes that it should ultimately take place, unless Texas should in the mean time by some act of aggression offend the pride of the Mexicans, and lead them to put in action the means which they undoubtedly possess, if properly directed, of causing serious annoyance to Texas. This assertion I most beg leave most Conscientiously to repeat, as a sincere well wisher of both parties.

My Commission as mediator, I consider, notwithstanding the present unfavorable disposition of the Mexican Government, to be still open, hoping that I may one day enjoy the satisfaction of seeing an arrangement effected between the two Countries, neither of which, I am well convinced, could be otherwise than prejudiced by becoming capitals of the other.

I shall not fail to make known to the Government of Texas any indication which I may observe of a more favorable disposition on the part of this Government to listen to pacific overtures, and I shall feel it my duty to attend, to the best of my ability, to any Communication which the Texan Government may think proper to address to me bearing relation to that subject

You will perhaps have the goodness to cause to be delivered to Her Majesty's Vice Consul at Vera Cruz the letter from Viscount Palmerston which is in your possession, to be forwarded to me by the first safe opportunity.

I have the honor to be, with sentiments of the highest Consideration, Sir

Your most obt Humble Servant

R. Pakenham

Hon
James Webb
&c &c.

Mr Canedo
to
Mr Patten Chargé

Resolutions relative to the acknowledgment of Texas.

Palace of the National Govern.
Mexico 11th October 1839.

Sir!

I have had the honor of receiving the confidential note which your Excellency has addressed to me to day reminding me of the various conversations which we have had in consequence of the instructions the Government of Her Britanic Majesty has communicated to Your Excellency, relative to the question of Texas, — Your Excellency is pleased to manifest to me Your desire to know whether any resolution has been taken by this Governm in virtues of the friendly propositions which in compliance with your cited instruction you have made. — and in answer I have the honor to say to you that the Commissioner of the inhabitants of Texas will be heard by the Mexican Government under the indispensable condition that this is not to desist from the national Sovereignty of that Department of the Republic.

I am with great respect &c.

Juan de D Canedo

Texan Schooner San Bernardo
Pacificios - 16th June 1841.

Mr Webb
to
Mr Patten Chargé

Sir:

I have the honor to acknowledge the receipt of your communication of the 10th acknowledgment, in answer to mine of the first, and by which, and the documents accompanying the same, I am informed of the determination of the Mexican Government to listen to propositions no overtures of pacification from mine, predicated upon the separation of what it terms the Department of Texas from Mexico.

I can but regret this determination, as I can suggestions it will lead to a State of things which every philanthropist must deprecate, an relations to which my Government has been heretofore most anxious to avoid. That the author assurances of Texas have sincerely desired to pursue a pacific policy towards Mexico, is abu with abundantly evinced in the repeated efforts which have been made to settle by amicable negotiations the differences existing between the two Countries; and especially, in prosecuting those efforts under the most discouraging circumstances, and at time too; when had they been disposed to renew hostilities, the internal feuds and external difficulties of Mexico, afforded the most inviting opportunities for doing so.

You are no doubt aware, that repeated overtures have been made by the Federalist of the Northern and Southern provinces of Mexico, accompanied the most alluring offers, to induce the people of Texas to unite with them in a war against their Government, and to make common cause in forcing an acknowledgement of our and their Independence; and you are no doubt aware that all of these overtures have been rejected on the part of my Gover

This course was pursued by us under the impression, that Mexico appreciat the motives of our forbearance, and perceiving the amicable Spirit which Texas was disposed to cultivate towards her, would change her policy towards us — a policy, which, without meaning the imputation of bri we think we may confidently assert, can never result in any benefit to

What cause my Government will feel itself bound to pur reference to this controversy in future, I am unprepared to say: one certain, having voluntarily made three distinct efforts for amica She can never make a fourth unless invited to it. — Your Excy's Continuance of the pacific policy heretofore adopted, shall be and I have no doubt will have great weight; but the p have received so much annoyance from the dista from the United

decididly prefer an active and energetic prosecution of the war, to the state of suspense and sullen hostility which has existed between the two Nations for the last five years; and altho' the Government might be disposed to longer forbearance, I think it possible that so general an expression of public sentiment may exercise an influence on the public councils which can no longer be resisted.

The communication from Viscount Palmerston to which I referred in my last, I have now the honor of enclosing to you, tho' from the letter of Mr Burnley, I presume it cannot in the present posture of affairs be rendered available— I have also the honor of enclosing to you the original letter of the Secretary of State of Texas, to the copy of which heretofore forwarded, I have received your reply addressed to that officer.—

I cannot close this communication without tendering to you my sincere thanks, as well as those of the Presidents of Texas, for the many acts of kindness and friendship which you have exhibited towards our infant nation— Be assured Sir, they are all fully appreciated by the Government and the people, and will long be remembered by them.

I have the honor to be, with sentiments of great respect and Consideration, your very Obt Servt.

Hon Richard Pakenham
Her Britanic Majesty's Minister
Mexico.—

James Webb

Mr Pakenham to Secy of State Relating to war relations with Mexico

Her Britanic Majesty's Mission.
Mexico 10th June 1841.

Hon J. S. Mayfield
Sir:

I have had the honor to receive from Mr Webb a copy of the letter which you were pleased to address to me on the 20th March last, mentioning the appointment of Mr Webb as Envoy Extraordinary an Minister Plenipotentiary to negotiate a Treaty of Recognition, Amity, and Commerce with Mexico under the friendly auspices of Her Majesty's Government.

I beg leave to refer to a letter which I have this day addressed to Mr Webb, for the result of my endeavours to induce the Government of Mexico to entertain the pacific overtures of the Government of Texas, which, I am Concerned to say, have been altogether unsuccessful; but I think it not improbable that at no distant day an opportunity may occur to renew negotiations with a better prospect of success, and I shall not fail to make known to you, Sir, any indication which I may observe of such a favorable change in the councils of this Government.

I beg leave also to assure you of my entire readiness to attend to any Communication which you may be pleased to address to me connected with the object of effecting an amicable arrangement between the two Republics.

I have the honor to be, with sentiments of the highest Consideration, Sir,

Your mst Obt humble Servt.

R Pakenham

Mr Webb
Relating to
the result
of his Mission
to Mexico

Hon James S Mayfield
Secretary of State

Galveston 29th June 1841.

Sir: I have the honor to hand you herewith, a copy of the Correspondence which has recently passed between Her Britanic Majesty's Minister at Mexico, and myself, relative to the objects of my late Mission to that Country; and from which you will perceive, that the Government of Mexico, has not only refused to receive the proposition which I was authorized to make for the adjustment of difference, but has positively rejected the mediation of the British Government, in the settlement of those differences.

forwarding correspondence

Upon my arrival at Sacrificios, I addressed through my Secretary, a letter to the Commandant General of Vera Cruz, informing him of the objects of my visit, and requesting to know whether or not I would be permitted to land, and furnished with passports to the City of Mexico; to which letter I received a reply, couched in terms of sufficient Courtesy, saying that he was not authorized to permit the one or grant the other— I then addressed my first Communication to Mr Pakenham, Charge the British Vice Consul at Vera Cruz, and sixteen days afterwards, received the answer and accompanying documents which you will find enclosed.

It may be proper to remark, that there was nothing in the deportment of the authorities at Vera Cruz, as exhibited to me, which was in the slightest degree offensive; but having been placed upon my guard by a knowledge of the extraordinary treatment manifested towards the Vessel (on board of which I was) but a short time before, while under a flag of truce, I caused enquiries to be made of the Commandant General, to ascertain whether or not She would be permitted to remain quietly in the Harbor, until such time as I should receive answers to my despatches addrd to Mr Pakenham, and was informed in reply, that he (the Commandant General) could make no pledges of any sort, farther than that he felt no hostility either towards myself or the Vessel— Under these circumstances, I deemed it most proper to leave the Harbor which I did by proceeding to the Island of Sobos, where I remained until a sufficient time had elapsed to justify the expectation of receiving replies from Mexico upon my return to Vera Cruz.

After my rejection by the authorities at Mexico, it was my intention to have proceeded at once to Tobasco and Yucatan, for the purpose of complying with your instructions in reference to those States, but while prosecuting that intention, we had the misfortune to carry away the foremast of our Vessel, which compelled an immediate return to this place, where we arrived at a late hour last night.

As I have some doubts about the propriety of my setting out again for Yucatan and Tobasco under the instructions with which I am at present furnished I have written to His Excellency the President upon the subject, and shall remain here until I hear from you in reference to my future movements.— My Secretary, Mr George L Hamilton, is the bearer of my despatches, and as he is fully advised of all my views in reference to this Mission, I beg leave to refer you to him for an explanation of all things, in which I have not been sufficiently explicit in my written Communications.

Should it be determined by the President to furnish me with further powers and instructions in regard to the States of Yucatan and Tobasco, I trust you will cause them to be made out with as little delay as possible, as I shall await the return of Mr Hamilton with great anxiety.— I would also say that in such case, the Commissions and letters of Credence for each State should be separate— the letters of Credence to be addressed to the Governors of each.

I have the honor to be, with great respect
Your Obt Servt.

James

Mr Webb
to President-
Making
various suggestions
relative to
Relations
with Mexico

Galveston, 29th June 1841.

My Dear General,

I arrived here last night from the coast of Mexico, having been compelled to return in consequence of the loss of our foremast at sea, when only one half of my duties had been performed. By my instructions I was directed, if not received at Mexico, to proceed to Tobasco and Yucatan, and ascertain what course those two States, and the other federalist of Mexico, in combination with them, would be willing to pursue in the event of Texas renewing the war with the Central Government; and it was while proceeding from Vera Cruz to Tobasco for the purpose of carrying out that branch of my instructions, that our foremast was carried away, and the Schooner so crippled as to render a further prosecution of the Voyage impracticable.

From my letter to the Secretary of State of this date, and the correspondence which accompanies it, you will perceive that all expectation of ever accomplishing any thing by Negotiation with the present Government of Mexico, is at an end. They declare emphatically, that they will never discuss, or ever receive propositions, from any source whatever, which have for their object, the Separation of Texas from Mexico. After an avowal so positive and unequivocal in its character, backed too as it is, by the former rejections of our overtures, and the mediation of England, there can be but one question left for our decision. That question is, whether is it better for us to let things remain as they are, or to take such steps without further delay, as will coerce an acknowledgement of our rights? If we permit the question to remain as it is, unsettled; especially when it is known that Mexico has a third time rejected our efforts at amicable negotiation, and rejected them in terms which must preclude all further efforts of that sort from us, I think we run a great risk of destroying all confidence abroad in the Stability of our Government, and will most certainly sink our already prostrate credit still lower than it is, if it be possible for it to get lower. One of the greatest evils under which we have heretofore labored, has been the want of a full confidence in other Countries, in the permanence of your institutions. It has been impossible to produce a Conviction with those, unacquainted with the Mexican character, and with ourselves, that a Nation possessing a population of eight Millions of inhabitants, could not at any moment reconquer a revolted province, with a population of less than 150 thousand; and the impression that it could be done, has heretofore kept from our Shores that class of emigration which alone can give wealth, Credit, and Character to the Country. an impression which must gain additional Strength from the haughty manner in which Mexico has rejected our third proposition for Conciliations.

Heretofore, as you well know, I have been an advocate for the pacific policy pursued by your administration. I advocated it, because I believed that the war could not be renewed and prosecuted successfully without much greater resources than our embarrassed finances would enable the Government to Command, and that an unsuccessful effort, so far from relieving us, would place the Country in a worse attitude than it already occupied; but my recent trip to the Coast of Mexico, and information which I have obtained from various sources of the condition of that Country, has worked a thorough change in my opinions, and I now conscientiously believe that we can renew the war, and conduct it to a successful termination for all our purposes, without its costing the National a single dollar in the end. To explain myself satisfactorily, it is necessary to take a very cursory view of the present position of affairs in that Country. Yucatan and Tobasco, two of the most important States of Mexico, as you are aware, have already seceded, and declared themselves independent of the existing Government. Their object is not to establish for themselves, separate and in-

but to restore the Confederation, and reestablish the Constitution of 1824, with such modifications as experience have taught them are essential to its preservation.— In doing this however, they have no expectation or desire of Uniting Texas with that Confederation, they are fully convinced, that with a population like ours, composed of persons of manners habits, education and religion, so different from their own, there never could be harmony in a strict sense, and that in establishing such a union, they would be planting in it the seeds of discord which would eventually overthrow their own fabric— They are therefore perfectly willing to give us up, and to form such amicable relations with us as a foreign power, as will be to the mutual Convenience and benefit of both.— Indeed I am assured, that they are now anxious to form such relations upon a permanent basis; because they feel convinced that with our assistance and support, they can in a short time put down the Central Government, and establish the Confederacy in its stead— The plan proposed is this.— Let Texas enter into arrangements at once, with Yucatan and Tobasco, and each party mutually recognize the independence of the other, and then let them conjointly renew and prosecute the war until the Central Government shall be forced into terms, or put down beyond the hope of resuscitation.— In renewing the war conjointly with Yucatan and Tobasco, Texas would only be expected to furnish her Navy— the whole of the land operations to be carried on by the Federalist, and by which means we would be saved the entire expense of Keeping an Army in the field— the Captures made by the Navy would not only pay the expenses incured in keeping it afloat, but would absolutely produce a revenue to the Country.— In making arrangements of this sort, it should be distinctly understood that our object is not further Conquest, but simply the acknowledgement of our Independence— the permanent establishment of our rights of Territory as now Claimed, and a full remuneration for the expenses we may incur in carrying on the war.— Let it also be understood that we do not intend to interfere with the Confederation of the States to the South and west of the Rio Grande; but will aid in its restoration, and instead of finding enemy's in the federalist which are scattered all over the Country, Composing near two thirds of the entire population, (as we should do were we to carry on the war alone) we will find in them active and zealous Co-operators and supporters.— With the disaffection at present prevailing in all the Towns along the Coast, which are now Subject to Central power, I am fully Convinced that our Navy could Capture every one of them if it were understood we made the attack as friends and Supporters of the federal cause, because I am satisfied that at least one half of the population would be ready to aid us, and would throw off the yoke of Centralism so soon as they found that they would be sustained in their rebellion.— Without a land force however we could not hold their Towns after they were Captured; but in the arrangements with the federalist, let it be understood that when we had taken possession, and remunerated ourselves from the public Coffers for the expenses of the Capture, the Towns should be given up to them, and we would immediately find them ready to relieve us from all other trouble in respect to them.—

The Federalist of Yucatan and Tobasco have now every thing that is necessary to Carry on the war successfully, but a Navy, and the want in assistance from us but such as the Navy will afford— Without a Navy they can make no effectual impression upon the Sea ports, and that is the most essential object to be obtained; because it is through the Sea ports, and the revenue derive from their Commerce, that the Government is sustained— take away that, & cut off all their resources and render them hopelessly imbecile— Hence the anxiety of the Federalist to make terms with us, because they believe our assistance in taking their ports, they can immediately bring the Centra

Is it not important then for us to avail ourselves of this moment to make terms with them? I repeat, there is no thing by Negotiation with the Central Government

remain as we are

Our feelings on the performance of our Government, abroad, would be greatly
enfeebled, and our Credit cautiously scrutinized, and of our Loyal, tolerant,
independent of the federal parties, the lives we have of Secession, because the
Abolitionists would call their political hostility to each other, would unite to
defend us if they thought our interests thereby safely for our own benefit, or for the
preservation of Concert. They hate each other with a hatred little inferior to
that they hate Secession with a bitterness far fiercer, and are particularly
jealous of the encroachments of the Democrats. They have no idea of friendship
or reconciliation with Secession, but serve them, and they will be grateful.

By my instructions, I am not authorized to enter into
discussion or Government arrangement with the Government of Mexatan
and Tobasco. I was directed on a particular point, strictly to proceed to those
States, and ascertain If I could, what Course they would pursue Should
we renew the war; and had we not lost our Steamer, I should have gone
down and Complied literally with my instructions, without entering into any
engagement on our part; but as I have been compelled to put back, would
it not be better before I proceed a Second time, (Should it be thought advisable
for me to go on) to furnish me with more explicit powers and instructions?
It is for the purpose of submitting this question, and my deliberate views
upon the subject, that I have sent up my Secretary to confer with you.
Having been already bitten three Six weeks at Sea, confined to a Small, close,
hot and foul Cabin, only six feet Square, I have felt no desire to return to
Sea again, unless some object is to be attained by it, advantageous to the
Country, and what weighs me is almost as important, Creditable to your
administration. I think if active Steps are taken, the war may be renewed,
and Consequences most important to the nation be achieved by it, before
your administration closes. At all events, the war can be renewed, and
placed upon such a footing by you as will preclude your Successor from
discontinuing it, and your administration will have the credit of it.
Should Gen'l Houston succeed in the Presidential Canvass (one of this I have
now the Strongest probability) I understand he will be opposed to a renewal
of the war, unless therefore it is done in your time, we may expect an additional
three years of doubt, difficulty and embarrassment.

But suppose the war is not renewed,
will not Something be gained for us by obtaining from Yucatan & Tobasco,
the two most powerful and Commercial States of Mexico, the unconditional
acknowledgement of our independence, together with the assurance of
obtaining a similar acknowledgement from the other States, as they
shall throw off the Central Yoke and unite with the Confederacy? —
The acknowledgement of Yucatan and Tobasco alone, will exercise an
influence on the other States when the Confederacy is established, too
powerful to be resisted, and that the Confederacy will eventually be
reestablished, I have not the shadow of a doubt; at all events, until it
is reestablished, we shall never get our independence acknowledged
by Mexico.

I can see no benefit that will result to the country, or to your
administration for me now to go to Yucatan and Tobasco under my
present instructions... If it be intended by you to renew the war, I
ought to be authorized to make full arrangements at first as we have
no time to loose. If on the other hand, it should be thought most
advisable not to renew it, it can be of no service for me to ascertain
what course those States would pursue in an event which is not to happen
Unless therefore, I am instructed to make positive arrangements with
them for Conjoint operations against our Common enemy, or to

from them a recognition of our independence so far as they can give it, I respectfu suggest the propriety of my recall. — In making this suggestion, I hope I will not understood as manifesting any desire to shrink from a duty which I had previously undertaken, and which properly devolves upon me — I do it from a full conviction, th under my present instructions, I shall not be able to render any effectual service to t Country.

Should you think it the better policy to renew the war immediately, provided it can be done at so little cost and hazard (and of this I can hardly entertain a doubt) I feel it to be my duty to call your attention to the act of the last Congress directing t Navy to be laid up in ordinary, because it is the Navy alone which will be requir or can be effectual in such a war — I do not recollect the terms of that act, or whe any discretion is left to the President in bringing it into service. — If there be no such discretion allowed, is it not a matter of sufficient importance to justify a cal of Congress? This would cause but little delay, as the Vessels could be getting read while the Members were assembling. — I do not know that Galveston presents any criterion from which to judge of public sentiment, but if there be one tenth of th war fever in the other parts of the Republic that is felt here, the Nation would justify by acclamation the sending the Navy to sea, even without the action of Congress to authorize it. — However, for one, would not advise you to do it. —

You will perceive from Mr. Pakenhams' letter both to the Secretary of State and myself, that he advises us still to pursue the pacific policy. I call your attention to the fact, because I assured him I would do so, but at the same time I must say, that I think his advice upon this subject is not entitled to as much consideration as it doubtless would be on most others. — He is in feeling and interest, especially a Mexican of the Central party. — He married in the Country and has all his interests established there, and he would therefore not advise a course injurious to that interest. — He no doubt would be pleas to see Mexico, recognize the independence of Texas, because he has sense enou to know that it would be to her advantage to do so, and I am strongly inclin to believe that the larger portion of his gratification would be derived from th Consideration.

If the war should be renewed, I understood that there are several persons here desirous of fitting out privateers, and are anxious to know whether Commissions could be had for them as letters of Marque. — I have heard that Col Love and Capt Wheelright speak of fitting out one, to be under the Command of the latter. —

Knowing your aversion to reading long letters, I am almo ashamed of sending you this tedious and desultory scroll — But being anxio to put you fully in possession of my views upon a subject which I regard as of great importance, and having no time to think of perspicuity in Style (as I have m letters to write before Mr Hamilton leaves in the morning) I have just put dow this things which were suggested to my mind at the time, I shall not able even to look them over for the purpose of Correction; but between you and this is a matter of but little consequence. —

Should you conclude to send me other tions for Yucatan and Tobasco, it will be necessary to send me a Comm and Letters of Credence for each State, the Letters of Credence to be addres to Governors of each respectively

I pray you to despatch Mr Hamilton as soon as p as I shall remain here under much anxiety until his return, i proper that orders be sent to Commodore Moore to get one of the to take me down, as the San Bernard cannot be repaired and the San Antonio is now ready and will.

The Ships can be got ... in

order, each there are men enough to man two
Brig steamer one more boat
Two frigates and Sloop of War

Genl Hamilton to Jones

Jones Webb

Washington, July 13th 1841

Mr Gro
copy of the to the Secretary of State of Texas.
ending the

Sir. I have the Mr Webster's reply to my
investigation communication of the 12th April, remonstrating at the violation of our
Queen of territory by a Deputy Marshall (Ferguson) of the State of Arkansas —
Ferguson & Sir with pleasure the act is published, under the belief that the civil and
shows military jurisdiction of that State — The boundary is ere this ascertained,
so that infractions of this kind will not for the future find their excuse in
uncertainty: The matter has no doubt ere this been disposed of, but Mr Webster's letter is
a proof of his prompt attention to our remonstrances — I also send you
extract of a letter from Cincinnati, with a copy of mine to the Secretary of
State of the United States, pointing out the necessity of the recognizance of a
Consul for Texas at that place. I think it more than probable the President
will open his Exequatur; and I am glad to find that Mr. McGaffey
the person appointed after the death of Mr Grote is so highly spoken of.
The writer of the letter Mr Harris is known to Mr Amory.

Relating to Indian encroachment

We are entitled to a reply to a communication from
this Legation of the 19th May relative to Indian encroachments." Mr
Webster informs me he only waits for information from the War Department
to act. Mr Bell excuses himself, by referring to the constant attendance
required of him to subjects connected with the present session of Congress.
He said, he had however so far acted on the matter as to prevent further
trespasses: And intended placing a full Regiment on the frontier to prevent
future encroachments. I told him our object was partially attained in having
arrested the attention of this Government to the justice of our request.

The papers announce the rejection of Judge Webb at Vera Cruz.
Mistakes Much disappointment public expectation here as it was supposed his nomination
mistake & would have been procured by our Government through the previous mediation
suggestions of the British resident at Mexico. I had no letter from Genl Hamilton
by the last Steamer (Britannia) a passenger Lieut Pinkney of the United
States Navy informs me, that he understands Gen. H. had left Paris for
Germany, I presume to close his Treaty.

If it suited our present Condition to make
Mexico feel our power, the proposition of Gen. Arista would be very important,
but, our alliance with that people is not desirable while they remain
so ignorant of the moral principle which actuates our Countrymen in their
Republicanism. If we can bring them in amongst us by degrees, as we desire
to do with those of Santa Fe, they will gradually improve by association,
and finally be valuable accessories; but the motives upon their part must be
of a higher character than those which are prompted by Military leaders.
The success of the Santa Fé expedition is desirable in a social
as well as a National point of view, as the peaceable Consent of the Mexicans
settled within that portion of our territory to unite with us as integrants
of our people, will add much to our agricultural population as well as
to uphold the Republic in that remote section of its possessions.

I have kept my letter open for a few days, suppose

Mr Webster would reply to my note in relation to our Consul for Cincinnati; but he has not answered it.

July the 16th.— Your communication of the 21st June is just received, and the subject of which it treats will be attended to without delay. I have had the matter of that despatch constantly in mind, and in personal interviews with the Secretary of State of the United States at appropriate times have never failed to advert to it.— In this a more detailed and satisfactory understanding can be obtained than in the formali attendant upon written despatches, and when the whole ground of expectation on the part of the Government of the United States is brought out, I shall advise you of result.— In the mean time by way of giving this a more official appearance of our desire to have an early termination of the questions, I shall address the Secretary of State of the United States a note on the subject in a very few days.

The views by some of the papers in Texas in regard to the Loan contracted for by Gen. Hamilton with Messrs Laffitte & Co. may probably embarrass its successful conclusion.— Some of the writers discuss the measure as injurious with the law itself, contending that the prospectus of the Loan permits the Bonds to be used in payment of duties and for the purchase of Lands, while the Statute is silent as to any such liability in purpose.— The authority to pledge five Millions of acres of the public domain in support of this Negotiation is repudiated, and the Agency of the Bankers is attempted to be placed in a doubtful position by questioning whether they have themselves assumed the Loan or are merely making an experiment as agents at the risk and hazard of Texas.

These things it is true constitute proper subjects for enquiry in a strict sense of political economy; but in the delicate condition in which our Country is placed, as regards the means of rescue from present embarrassment, and the ensuring of future Strength, it would perhaps be more patriotic as well as wiser in our Citizens, if they would yield up the license of hypercritical objections for the more pressing demands of present necessity.— I trust there will be no disappointment either as to the completion of the Loan in France or the approbation of its terms at home.— I send you Mr Websters Note assenting to the issuing an Exequatur.—

I have the Honor to be, Very respectfully
Your
Obt. Servt.
Barnard E. Bee.

Saml. A. Roberts Esqr
&c. &c. &c.

Mr Webster's
Mr Bee's
Relating to
the investigation
of the case
of Ferguson
Dep. Marshal

Department of State.
Washington, 3rd July 1841.

To Barnard E Bee Esqr. &c.

The Undersigned Secretary of State of the United States, has the honor to Communicate to Mr Bee, Chargé d'affaires of Texas, a Copy of a letter which has just been received at this Department from Neal Forlery Esquire, the attorney of the United States for the District of Arka from which it appears that the judicial proceedings the execution whereof with the supposed limits of Texas by one Ferguson, a Deputy Marshall of Ark formed the subject of complaint in the Note of Mr Bee to the Undersigned of of April, last, was, in point of fact, served at a spot which there was reason believe was, pursuant to the second article of the Convention upon the subject Boundary, sufficiently within the limits of the State of Arkansas, to exculpat officer refered to from wilfully trespassing upon the territory of Texas.

The undersigned avails himself of this
renewed assurance of his Consi

(Copy) Mr Fowler to Mr Webster

Office of the Atto: U.S. for
the Dist of Ark.
Little Rock, June. 11th 1841.

Sir!

A Fowler Mr Webster Relating to Ferguson

Since the receipt of your Communication of the 17th of April, last, relative to an alledged transgression upon the Sovereignty of Texas by Ferguson, a Deputy Marshall of this District, I have made use of such means as are within my reach for acquiring the information sought.—

the investigation of the case of Ferguson for an invasion of the territory of Texas.—

I have not been able to see any thing bearing the semblance of authority, which defines the boundaries of "the County of Red River in Texas," but from the best information, derived from gentlemen of the highest standing in that part of Arkansas, I feel confident in the suggestion that every portion of the Texan County of Red River is included within the limits of Miller County in this State over which the local authorities have formerly exercised the undisputed jurisdiction, and would have continued to do so had an State Executive possessed energy of Character.

Elijah Ferguson was a Deputy Marshall in this District, and I find from the records of the District Court, and his official return, that on the 10th day of December 1840. being charged with the execution of a fieri facias in favor of the United States, against John A Fowler, a defaulting Post Master, he levied it on personal property of said Fowler, in Miller County, within this District, on what he (Ferguson) terms the disputed ground, where defendant then resided, which property was arrested from his possession, after levied on, by force of arms.— This, I infer, is the aggression Complained of; but no names but that of Ferguson, who resides near the Texan border, having been furnished by the Department, I cannot at present give any further information on the subject.

As to any action upon this matter, with the lights at present before me, I shall await the instruction of the Department.

I am Sir, very respectfully
Your Obt Servt.
(Signed) A Fowler
Dist Atty.

Hon Daniel Webster
&c &c &c.

Legation of Texas
July 9th 1841.

Mr Bee Mr to Webster

Mr Bee has the honor of calling of Mr. Websters attention to the accompaining extract of a letter from Cincinnati.— It will quite perhaps enclosing satisfy the Secretary of State of the United States that a Consul at that solicitation place is important.— and Mr Bee supposes the knowledge of that fact for the appointment will be sufficient to induce Mr Webster to direct the issue of an Exequatur of Consul for after the death of Mr Benjamin Drake, Mea Mr Mc Guffy was named Texas at as Consul for Texas for Cincinnati.

Cincinnato

Cincinnati, June. 12th 1841.

Dear Sir:

Your letter directed to my worthy friend Benjamin Drake (who is no more) was put in my hands by his brother yesterday, in which you say the President has decided it is not necessary to have a Consul at this place.

I am truly happy, that it is to you, I have the pleasure of writing on this subject.— It is not to be expected the President could know the facts before they are honestly communicated to him.— You know it was from this place New Port, which is on the opposite side of the River)

and his company migrated to Texas and large contracts were made in this place (including part of Kentucky and Indiana) to furnish and support those brave men, who immortalized themselves on the plains of San Jacinto, and put an end to the war in Texas with Mexico, in consequence of which hundreds have become interested in Texas, who now find to the greatest inconvenience and trouble, by not having some person, who is authorize to take depositions, acknowledgments of deeds and Conveyances, which are not admitted to record in Texas without.— Since the death of my esteemed friend Benjamin Drake, I saw a Notice of an appointment (Consul in this place) Wm. H McGuffy Esqr.— I hope the President will not delay his agents, Mr McGuffy is highly esteemed as an honest man, a good Lawyer, and understands the Spanish Language.— A number of persons are now awaiting, to perfect their titles, so soon as he is legally authorized to do business.

While we soon, and, accept the high regard and esteem of

Your Sincere Friend

Auldur Morris

Department of State
Washington, 15th July 1841.

Mr Webster presents his respects to Mr Bee and, acknowledging the receipt of Mr Bee's note of the 9th instant, which, with its enclosure, has been duly considered, has the honor to state that upon the presentation of the Commission of Mr McGuffy in the usual form, an Exequatur shall be issued to him as Consul of Texas at Cincinnati.

To.
Barnard E. Bee Esquire
&c. &c. &c.

Mr Bee
Secy of State
enclosing an
Indictment and
evidence against
More Philips
for Stealing
negroes, and
requesting them

Legation of the United States
Galveston, Texas. July 31st 1841.

To the Hon: the Secretary of State
&c &c. Sir:

I have the honor to transmit to you for your inspection and consideration, a copy of a letter from C Roselius to the Hon E D. White, and a copy of Mr Whites' letter to the Hon. Daniel Webster Secretary of State of the United States; requesting a demand by the Government of Texas; for the surrender of More Philips a fugitive from the United States, upon the Communication charged with having stolen two Slaves from the State of Louisiana and having fled with to the Republic of Texas.. I also transmit a copy of an indictment, properly authenticated, as found by one of the Criminal Courts for the State of Louisiana.

In the absence of Treaty Stipulations with the two Governments, upon the subject of fugitives from justice, I am aware, that the surrender of Philips cannot be claimed as a matter of right; It has however been understood, as believed, in the United States, that the Government of Texas, from feelings of comity which exist between the two Republics; would not be disinclined to surrender to the proper authorities fugitives from justice from the United States. I am therefore instructed by the Government of the United States, to request through you, that the Government of Texas surrender said More Philips to the proper authorities of Louisiana.— As the Government of the United States may feel some interest in some of the Stipulations of the Treaty entered into between the Government of France and the Republic of Texas, I ask the favor of the Hon. the Secretary of State of Texas, to furnish the undersigned a copy of the said Treaty.

I have the honor to subscribe myself

2 Doc

Mr Roselius
Mr White
requesting him
to represent
Mr Webster
the case of
Moro Philips
for Stealing
Negroes &c

(Copy)

New Orleans.
15th May 1841.

Hon C. D. White &c.

Dear Sir In the months of August 1839. an individual by the name of Moro Philips, Stole two Slaves belonging to Mrs Thompson, the wife of Col. William Thompson; and as usual in such cases, he went to Texas with them. An indictment was found against Philips some time afterwards. — Mrs. Thompson then sent an agent to Texas, for the purpose of arresting the offender; but, as might have been expected, the Texan Government refused to interfere in the matter, unless a demand for the surrender of Philips was made by the Charge d'affaires of the United States. —

It appears from what I learn, that the Texan Government surrenders all fugitives from justice, when a proper application is made. — Whether the Government of the United States will instruct its Charge d'affaires to make the demand, I do not know. Under these circumstances, you must excuse me for troubling you on this subject, and to request you to ascertain and inform me whether the Government would be willing to take any steps in this matter. — It is of the greatest importance that something should be done if possible, to put a stop to the perpetrations of a crime of the most serious consequence to the citizens of this State. I enclose a duly attested Copy of the indictment and a memorandum of instructions given to the agent of Mrs Thompson by Gen Flood of Texas.

By attending to this business you will confer a favor on your friend and

Obedient Servt
(Signed) C. Roselius.

Mr White
Mr to Webster
Relating to an
Indictment
found against
Moro Philips

(Copy)

Hon. the Secretary of State

Sir: I am directed to submit to the Department the accompanying Indictment found in the Criminal Court of the first District of the State of Louisiana, against Moro Philips for Stealing and Conveying away two Slaves, the property of Virginia W. Thompson, with which Slaves the Culprit has fled to Texas; and to require from the Government of the United States, a demand on that of Texas, for the surrender of the fugitive, and of the property Stolen.

The letter of Mr Roselius, the attorney of Mrs Thompson, is herewith submitted.

Respectfully
(Signed) C. D. White.

Note — For Copy of indictment accompaning Letter of Mr Roselius — See file. — —

Mr. Pico
Secy of State
Relating to the
invasion of the
territory of
Texas by a
Deputy Marshal
Fergusson
for the
arrest of
Moro Philips
&c

Legation of Texas
Washington City, July 31st 1841.

To the Secretary of State
Texas

Sir:

I had the honor of addressing you on the 13th inst. by a Deputy Marshal to my remonstrance against the violation of our territory by a Deputy Marshal Fergusson for the District of Arkansas. Since then a despatch from the acting Secy of State of Texas under date of the 21st Inst has been received having reference principally to the contemplated treaty with the United States.

I have carefully considered the subjects of that Communication in their various bearings upon the relations of the two

Texas and and am prepared in my own mind after having examined the treaties heretofore made by the U States by us with England and with the King of the Netherlands to enter into a similar negotiation here, and only wait an intimation of a readiness from this Government in order to commence the arrangement.

I have repeatedly urged upon the Government here orally the necessity of making an early treaty, as the articles relative to Commerce and navigation between the two countries in the subsisting treaty between the United States and Mexico applicable to Texas will expire under the notification heretofore given to that end on the 19th May next. —

As the present Session of Congress in this City and the vexed question of — territorial Claim between the United States and Great Britain together with the incidental difficulties which grow out of the latter very probably engross the attention of the State Department for the present, the suggestion made by my in regard to a Convention with Texas have not yet been acted on.

In order to impress that Department with a more certain understanding of the anxiety of Texas to bring that subject to an early Conclusion, I addressed a communication to the Secretary of State of the United States on the 27th inst in relation to it, a copy of which is now sent to you. —

There was one matter of interest to us which I think has been overlooked at home so far as I can judge by the absence of any intention of it in the several despatches I have received, and that is, the necessity of having a right to land or warehouse our produce in ports or places of the United States upon the border Rivers free of duty, when the exclusive object of that landing is to transhipe the property in American Vessels. — If we do not Stipulate for that privilege, our produce intended for distant markets and which passes down the Mississippi will be subject to the duty now prevailing by the Tariff of this Country on similar produce coming into the United States from foreign ports, and this notwithstanding we may have the free Navigation of that River, for unless we possess Vessels of our own to become our own carriers the atlantic, the act of unlading the produce to transhipe in American bottoms would be construed into a Commercial entry which would involve it in the penalties of the revenue laws. — This would be adding so much to the cost of our produce that in price we should be unequal Competitors in foreign markets with the same articles produced in the United States.

You will see therefore that I have made the right of Entrepôt one of the subjects of the intended treaty, and as the Citizens of the United States who may want to extend their trade to Mexico through our boundaries, will have a similar advantage free of duty, I do not think it ought to be regarded by the United States as a Concession asked without an equivolent.

I regret that I have not been furnished with Copies of the Treaty made by our Government with that of France, so as to have enabled me in digesting a plan for my own Conduct upon this topic to avoid any Conflict either of Stipulations or interest. — In Comparing the one made with the King of the Netherlands and that with England, I find some advantages in the form not included in the other, and which I shall endeavour to incorporate in the one now to be negotiated. — For instance the 6th Article of the Convention with England is rather onerous upon us as a young National, with a small mercantile Commerce, for it requires that in order to give our Vessels a National Character the Master and at least three fourths of the mariners shall be naturalized citizens. —

The Seventh Article of our treaty with the Netherlands on this subject is of a character for liberality suited to our condition, for it provides that Vessels of the Republic shall be treated as such, which are furnished by the competent authority with a passport or certificate

as respects the

thought it to be, it is not a border River in a strictly geographical sense, whatever it is in respect to being the nearest Commercial outlet from our North eastern boundary; but if this Government should insist upon confining our trade as a domestic trade to the exact limits of the Republic, as they may be defined according to the existing Treaty, then our produce would be subject to foreign duties on the Red River, as soon as it passed the thirty Second degree of North latitude, for the progress through the Mississippi is not even Conventionally provided for in the Treaty, and the only appeal we could make for the right of transit, would be either by analogy to the regulations for navigating Rivers as laid down at the Congress of Vienna by the Plenipotentiaries of eight of the European powers, or by shewing that the trade of the United States would gain as much in its intercourse with Mexico by freely passing the Sabine thro' our territory above the thirty Second degree.

The amount of our proposition is this. That if the United States insist upon a strict construction of territorial limits, we cannot go down the Mississippi with our Vessels and produce without paying duty tonnage duty and customs, unless we offer them what they may consider a fair Consideration, or they are actuated by a liberal Spirit in the encouragement of a New Republic, so closely allied to them in the principles of Government, and in the blood of her citizens, as to make the interests of both nearly mutual. I conceive to believe that on this side branch of this proposition, that Government would, upon examination see, that the fact of our having Coal for Vessels to transport our Staples, would enable its Citizens to become our Carriers, and thereby open to the Seamen and Mechanics of the United States a new source of employment without diminishing the demand of their own Country. This is a technical political sense would be more than equivalent for our using their River as a mere highway of transportation. On the other score, I believe the sympathy of kindred, and the interest of the two Nations to advance the Condition of both, with as much liberality as is Consistent with the interests of each other, will actuate the United States as a Commanding and powerful Confederacy to give us as friends and neighbors that small boon even without the return of a mercenary profit.

I did not as you will see advert in my letter to the Secretary of State of the United States, to the subject of that part of your dispatch which would provide for the granting by each Government to the Citizens of the other, the free introduction of a limited number of Slaves when taken as Servants attendant on their owners, and not for hire or sale. because independent of the exciting nature of the question of Slavery, whether as already existing or as a Conditional benefit to be entirely repealed in this Country, I do not believe the proposition would be entertained as a suitable feature of a Treaty.

The declaration of the allied powers, with two of whom England and France, we have never formed Connections, is so peremptory as to their united pledge for the abolition of the Slave trade, that even a mere grant for the migration of Slaves from one foreign jurisdiction to another, though it would neither enlarge the severity of their Condition, nor increase the actual number, would be looked upon with so much distrust and objection, that we might put our national interests in jeopardy, either with those by whom we have been recognized, or with others whose friendship we may hereafter invoke.

Besides this I observed that in the reply of the Minister of foreign affairs in Mexico, to the application of Mr Poinsett

the British Minister Resident, who was interceding for the admission of Mr Webb as Minister from Texas, that Secretary took occasion to advert to the toleration and preten encouragement of the Slave trade in Texas as one of the reasons, which on the score of human would induce Mexico not to treat with the Separated Colony. This of course is a declamato ad captandum; but as it is in unison with the better founded intentions of England on the same subject it would be wiser to omit it altogether, particularly as I believe the laws of the United States would prevent her from even entering upon such a discussion.

It is usual when a national representative near another Government is to be engaged in making a treaty, that he should be furnished with an authority for that purpose, as letters of power are reciprocally exhibited by the respective agents who negotiate. I will be glad therefore if you would send me such a letter as may be necessary

I presume the Government of the United States will prefer concludin the Treaty here, and I will thank you to forward to me at the earliest convenience, such a Convention drawn out in full form, as our Government is desirious of entering into. I have digested myself, in detail, which I think will embrace all the subjects that now concern or are likely to effect us, in our relations with the United States for many years, but as this has been done rather as a Speculative Study to be compared with the drafts you may present, than as a plan to be acted upon here, I will not at present trouble you with its particulars.

Communication from Genl Hamilton

Yesterday I received an interesting Communication from Genl Hamilton under date of the 13th inst. part of the particulars of which I instructed to send you by relating to this morning's mail. As the subject of which it treats arrising out of the controversy the differ[illegible] our State Department with M Saligny the French Charge d'affaires involves between Texas some delicate matters in which the United States and Great Britain are referred to a and France our friends I hope no publicity will be given either to Genl Hamilton's letter or what I write in relation to it.

As he advised that a Conversation should be held with Mr Webster about the propriety of despatching the Florida Squadron to the Gulf of Mexico by way of making a reconnoissance of the movements of the French Naval Vessels which may be sent there, I this morning had an interview with him and frankly communicated the contents of Genl Hamilton's letter. His reply was, that the American Ships at Florida should be ordered to make the necessary observations. Lord Palmerston having already taken steps to ascertain the cause of the armament of the French Vessels at Toulon, will nox doubt make a show of Pri forces in the Gulf of Mexico if France offers to menaces us, and it becomes us to preserve a strict silence in regard to the conduct of these two Nations in order best we compromit them with France.

Mr Webster assured me that there would be no difficulty in framing a treaty, between us of a liberal character and highly satisfactory to Texas, but he declines positively, transferring the negotiation to Austin. His pressing engagements have prevented him thus far from attending to my repe requests on this subject, and in all probability, judging from the business which seems to engross that Department he will not be able to take it up until after the close of Congress.

I think from the general tenor of his remarks, that he co grant the more claims which I have urged for the rights of free Entrepot, that he would not actually authorize me to communicate such a promise to my Government. You must therefore look upon the expectation of such a pr as possible, though not certain.

I have the honor to be Your Obt Servt

A.

Mr Rives to Mr Webster Relating to the Treaty between the United States and Texas suggesting the stipulations necesse

Legation of Texas
Washington City, July 27th 1841

To the Hon. Daniel Webster
Secretary of State of the United States

Sir: The undersigned Chargé d'affaires of Texas, has again the honor to call the attention of the Government of the United States to the desire of that of Texas to enter into a treaty of amity, Commerce and navigation with the United States, and to repeat what he has heretofore verbally expressed to you, the anxiety upon the part of Texas that this Convention should be concluded at the earliest practicable day.

In the belief that this subject would be taken up for consideration by the Government of the United States as soon as Texas should manifest a direct determination as far as lay in her power to place the the negotiation and commerce between the two Countries upon a more certain and liberal basis than prevails under the existing treaty between the United States and Mexico, the Government of Texas through this Legation gave notice on the 19th May last, to the Secretary of State of the United States, of its intention to terminate the stipulations relating to "Commerce and Navigation" as far as the Treaty was binding upon Texas, as soon after the date of that notification as would be consistent with the provisions of the 31st Article of the Treaty of the 5th April 1831.

The mutual interests of the two nations and the preservations of a harmonious intercourse of their respective citizens upon and near the Contermineous limits of the several Countries requires an early adjustment of the terms of trade and navigation between them[1], as already, Complaints have been made, and begin now to be frequent, of seizures and detentions by the authorities of the United States of the produce of Texas in its transit above and below Nacogdoches.

Besides the settlement of these vexations which may if continued exasperate the citizens of Texas against their offending Neighbors until private grievances will generate general hostilities along our opposite borders, the prevention of future aggressions such as heretofore committed by persons belonging to the United States upon the rights and property of the citizens of Texas, as well as upon her public domain, as already brought to the notice of the Government of the United States, make it a matter of great solicitude on the part of Texas that a treaty should be hastened with all possible despatch.

The subjects of the contemplated treaty will necessarily from the proximity of the two Countries and their corresponding interests be few in number, and embrace an equal reciprocity. As far as now considered to be adverted to, they would be comprised under the following heads.

First.— The free navigation of the border Rivers, the Sabine and Red River to the sea.

Second.— The establishment of the right of Entrepôt on the bordering Rivers, for the free transhipment to foreign places of the produce of each Country from that of the other.

Third.— The Indian Relations,— and

Fourth.— The Commercial and Maratime intercourse on and near the high seas.

There are minor points, such as those regulating the powers and privileges of Consular and Comercial Agents, the succession of Citizens of either Country dying ab intestato within the jurisdiction of the other and the administration upon the effects, which would be arranged with others that may occur, as incidental features in the Convention

Having stated the material

the Government of Texas is desirous to settle between the two Countries, I am instructed to propose to the Government of the United States that in order to facilitate that end, and ajust the treaty at the City of Washington, a programme of such a Convention as the United States are willing to enter into, should be furnished to the Undersigned as the Representative of Texas.

If the Secretary of State of the United States, shall find any inconvenience in this course, and will be authorized to transfer the negotiation to Austin the Capital of Texas, the Government there will exhibit to the Representative of the United States near that Republic a plan of such a Treaty as will be satisfactory to that nation and thus in either way bring the desired object to any early accomplishment.

The Undersigned takes this occasion to renew the assurances of his most respectful Consideration

[Signed] Raimond E. Rec

Houston, August 19th 1841

Mr Gaspiat
Relating to
the claims of
Messrs Segundi
for spoliations

Mr Saml. A Roberts
Acting Secretary of State.

Sir; I respectfully beg leave to call your attention to the following. — The Messrs. S. De Segundi Nes. through their highly respectable House in New Orleans, have lately forwarded me certified documents in support of a claim which they have against the Government of Texas for spoliations committed and property belonging to British subjects by the Texan Vessels of War called the Brutus and Invincible. The aggression complained of, took place, on the Coast of Yucata in the Autumn of 1837. on the British Schooner the "Little Penn" and part of her Car. The said Schooner having been previously wrecked on her voyage from Liverpool to Yucata on a Shoal called the "Alacranes"

As the whole subject has been lately introduced by her Majes Government, to the attention of the Texan authorities in this Country, and as those authorities have expressed their willingness to investigate the aforesaid Claim, I think it unnecessary at this time to go any farther into the merits of the case, my object being principally to inform the Government that all the papers relating thereto and in support of that claim are now in my possession and ready to be submitted in order that a full and fair investigation may at once be had the subject. — I have therefore to request that you will loose no time to lay this communication before His Excellency the President, and inform me of the Government intends to pursue thereon.

In conclusion, I would respectfully sugg the appointment of a Commission either here or at Galveston before whom whole facts could be presented for investigation. — This mode, it appears to me would be the best and the promptest the Government could adopt.

I am Sir, with the greatest respect
Your most Obt Servt
P. Gaspiat.

Mr Eve
Relating to
the surrender
of Moro
Philips

Legation of the United
Galveston August 30th

The Hon Samuel A Roberts, &c.

Sir: On last evening I had the honor of your Communication of the 17th inst. in answer to mine of the surrender of Moro Philips charged with haven State of Louisiana and having fled with them

I have given over

of [illegible]

kind enough to send me and for which I most sincerely thank you.
Believing as I did that it would be the interest of the Government of Texas as well as the United States to surrender on all occasions fugitives from justice which might flee to either, I confess that it is with regret that I find His Excellency the President declines surrendering Mose Phillips. Had the more confidence in making the requisition from the Attorney General, that upon a demand made of this Government the 29th of January 1839 for Johnson Cooke, who had fled from the State of Mississippi and was in conformity to the acknowledged rules of international law upon that subject surrendered by the Government of Texas.

Accept assurances of my high regard

Joseph Eve

Mr Peraza announcing his arrival bearing letter from the Governor of Yucatan

(Translation)

Austin, 11th September 1841

To the Hon Saml. A Roberts &c.

Excellent Sir.

I have the honor to enclose an official communication from the Governor of Yucatan, in answer to one from His Excellency the President of this Republic under date of the 20th July last.

The sentiments manifested in this communication by the Governor of Yucatan, are in very respect reciprocally full, and his Excellency wishing to manifest more explicitly their feelings and wishes, to cultivate and draw nearer our relations with this Government and people of Texas, have sent me to treat with the Government of this Republic on such points as may be of common interest, not only as regards the policy but also for the aggrandizement and good of both Countries.

I wish, according to the instructions from my Government, to repeat personally to His Excellency the President of this Republic the sentiments which animates the Governor of Yucatan, and would therefore request His Excellency to fix a day and hour on which I can have the honor to present my respects.

I avail myself of this opportunity to offer to your Excellency the testimony of the high consideration with which I have the honor to be.

Your obedient Servant

(Signed) Martin F. Peraza

The Governor of Yucatan to the President thanking the operations

(Translation)

To His Excellency
The President of Texas.
Excellent Sir.

His Government, its subaltern of Texas authorities and people, who have dispensed to Commodore Moore of Yucatan, his Squadron of your Republic, the distinctions with which he was treated &c &c &c while in the ports of this Peninsula, were actuated by a simultaneous feeling of sympathy.

By the expressive note of Your Excellency dated the 20th of July, in which mention is made of your feelings of satisfaction for those acts, has been a source of pleasure to me and will be augmen

should an occasion offer for reciprocating them.— To prove more clearly that Yucatan wishes to draw closer its relations with the people of Texas, and unite with them to sustain the cause of liberty which has been proclaimed against the oppressive Government of Mexico, the Communication of Your Excellency has been ordered to be published in the newspapers of this State, in order that it may be known to the people, that the ports of the Republic of Texas are opened by its Government as manifested by Your Excellency, to the vessels and Commerce of this State, under the guarantee that they will be treated the same as the most favored Nation; and those of Yucatan in reciprocity are open and free to the flag and Commerce of Texas, under the same securities, without restricting itself to dispense any other consideration even more extensive.

Col. Martin Francisco Peraya will be the bearer of this Communication, and is authorized and has ample instructions from this Governmen to solicit and make arrangements with the Government of Texas to the end, that they may assist this, and send the Squadron, that they, United with the armed Vessels of Yucatan, may operate against the Naval force which the Mexican Government is preparing: and furthermore, as soon as the Congress of Yucatan assembles (which will be the first of September) I shall provide for the necessary instructions, in order that the same Col. Peraya may treat and establish with the Republic of Texas relations more positive, permanent and specific, of friendship and Commerce, and to enter into all those Negotiations and arrangements which will be for mutual benefit, and, that will tend to sustain the respective rights of both territories, until they are acknowledged by those who are now our enemies.

In addressing Your Excellency, under such flattering motives, I have the honor to offer you the assurance of my personal esteem.— God and Liberty.

Merida August 21st 1841.

(Signed) Miguel Barbachano
Deputy Governor of Yucatan.

Austin September 16th 1841.

Mr Peraya soliciting the co-operation of the Texan Navy, and without awaiting the assembling of Congress, to obtain as he desired their legal act of sanction to enter upon and establish relations of amity, Navigation and Commerce Yucatan and others which are for the mutual benefit of the two people, was, to inform the Texan Government that the Government of Yucatan has received information through to operate against the Ports of Yucatan, that the Central Government of Mexico is preparing by advice and contrivance of Gen. Santa Anna, to send an expedition of 3000 Men against Yucatan, of Mexico, that the landing of this force would be protected by an 18 gun brig and two making Schooners of 5 guns each.

The Undersigned has the honor to inform the Hon. Secretary of St Mr Roberts, in order that through him it be communicated to His Excellency the President, that one of the principal motives that influenced His Excellency the Governor of Yucatan to send him near the Government of this Republic, for procuring them, so that it is presumed that on the

The Government of Yucatan, which is firmly resolved in all events, to defend the principles which she has proclaimed, has made the necessary provisions for the defence of the interior, and also provided for the arming of two or three Vessels to guard her coasts, but doubting the competency of this measure in itself, to insure in any event a beneficial result, and relying upon the amicable disposition, which the President with equal frankness and generosity manifested to the Government, in his last Communication, protesting a willingness to enter into such negotiations and treaties as might be of mutual utility, and produce a full recognition of the respective rights of the two Countries by their common enemy, he desires that Texas contribute on her part for the accomplishment of this object, three or more Vessels of her Squadron, which combined with them of Yucatan may impede the sailing of the Vessels of the Central Government, or effectually oppose them whenever they may encounter.

I would be offering an insult to the well known wisdom and intelligence of the Cabinet of Texas were I to occupy myself at present in detailing the causes which make it their policy to aid a friendly people, who asks it to oppose a natural and common enemy, and one which has repeatedly renounced the pacific and just means which have been tried to enter into those national & philosophical arrangements which the enlightened age in which we live demands. I will therefore merely say to the Hon. Secretary of State, that I am fully authorized by my Government to contribute to the removal of any pecuniary obstacles which might perhaps for the moment embarrass that of Texas in putting her vessels in action, and for this purpose and object His Excellency the President can at option dispose of eight thousand dollars in Galveston or New Orleans, and Count upon the Treasury of Yucatan for the same amount monthly, so long as the Government may deem necessary for the Squadron to continue in service and active operation against the forces of the Central Government in any part of the Gulf where the case may require.

If the Governments of Texas and Yucatan should agree upon the expediency of laying a formal blockade upon the ports of Mexico, or of making maritime reprisals, the product of this will be divided between the two Governments in proportion to the expenses they may have respectively incurred, and if the occupation of any Mexican port or ports should be effected by land forces, the product of its custom Houses, or any other product pertaining to the Central Government will also be divisible between Yucatan and Texas, saving the costs of the enterprise which will fall to which ever it may correspond.

The points embraced in this note I conceive should be separately treated upon, but for the sake of brevity I have determined to submit them in general to the Consideration of His Excellency the President before whom I hope the Hon Secretary of State will be pleased to lay them and communicate to me the result, for the intelligence of my Government as soon as possible

In Conclusion I have the honor to repeat to the Secretary of State, the high consideration and regard with which I have the honor to be his

Obt Servt

Martin F. Peraza

To the Hon.
Saml. A Roberts
&c &c &c.

Austin 17th September 1841.

Sir:

Mr Peraza accepting the Republic, that he has read and deliberately considered the 5th articles terminating the official note of yesterday reassuming the propositions or basis of mine of the 15th terms for sending the and having no observations to make upon them, they be conformable to the Spirit of Texan Navy my instructions, they are sanctioned as my pacts in the name of my Government, which to be punctually pledged to their most punctual and religious observance,

and the Yucatan Persuaded as I am that it is as well the interest of Texas as that of Yucatan to evince to the Federalist at this time, subject to the Central Government the desire of the two Governments to favor and even contribute efficaciously and positively to the triumph of the principle I deem it proper to propose to His Excellency the President the following article which may be denominated 5th of the treaty of A. already approved. Should it meet His Excellency's approbation.

an additional proposition "The Governments of Texas and Yucatan will instruct the respective Commanders of the Marine and Land forces, that where it should be necessary for them to evacuate any port, City, or points whatever which they might occupy within the territory subject to the Central Government of Mexico, to deliver it into the hands of the armed Federalist if there should be any, or to the Citizens of any denomination whatever who may be declared enemies to Central Government."

As I suppose there will be no inconvenience to the adoption of this article as it offers no contradiction to any of the former which I have been approved, the Secretary of State can in consequence extend the necessary orders at the foot of this note, for carrying them into effect.

So soon as the Secretary of State will honor me with his notification of having given said orders, I desire immediately to return to Galveston to await in that port or in New Orleans the further orders of my Government

With the highest consideration and respect, I have the honor to be:

Your Obedient Servant.

To the Hon.
Saml. A. Roberts
&c. &c &c.

Martin F. Peraza

Austin 18th September 1841.

Mr Peraza to Secy of State acknowledging six copies of the laws of Texas which the Hon Secretary State Mr Roberts, has the request of the kindness to send him, accompanied by his note of yesterday, for distribution Same &c as he may think proper on his return to Yucatan; and also the bound copy to be presented to the Governor in the name of the President.

Certainly nothing could be more gratifying to the Governor than a present of this nature; and to myself particularly in the satisfaction of distributing them among the principal corporations of that Country in the name of the Government of Texas.

For all of which, I have the honor of assuring the Secretary of State of my first and most expressive thanks, and respectful high consideration and regard with which I have the honor to be His

Obt Servt.

To the Hon
Saml. A. Roberts
&c &c &c.

Martin F. P.

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Sir

London July 11th 1841.

Gen Hamilton
Secy of State
Relating to Texas

I do myself the honor of inclosing you a copy of my letter to Mr Guizot Minister of foreign affairs which I addressed him a few days since in consequence of a article I saw in the Paris papers, that a difficulty had arisen between the President of the Republic and the French Chargé d'affaires Mr De Saligny in consequence of a difficulty which had taken place between Mr De Saligny and the Texan Government. Although I do not attach much importance to this rumor, yet believe the difficulty worth letting to, as the departure of such a squadron would be fatal to the subscription to the Loan and seriously compromit the interest of Texas in Europe.

Relating to the Loan

With regard to the progress of Mr Saffilles subscription, they do not go on by any means as fast as I could wish. I hope however by a few more influences to be, and that Messrs Saffille &c. may declare the subscription definitive by the 1st of September. I shall then look to Texas, to aid in those measures calculated to make the resolution permanently beneficial to the country.

No period could possibly be more auspicious for all financial negotiations founded on securities from any state of the Union. Illinois and Indiana Bonds, are at 85 p. Cent, and United States stock of all kinds readily.

I have received a most interesting letter from Mr John Horsly Palmer late President of the Bank of England on the subject of a National Bank for Texas, which I have sent to Mr Bee to have published in the National Intelligencer for the purpose diffusing the information it contains; I will during the next month address a Memoir to President Samar on the subject, that he may, if it meet his concurrence, embrace in his message, the project of a national institution, without which, the Loan will be of no use to the Republic; except to swell its funded debt.

With my most cordial and respectful salutations to President Samar, I have the honor to remain Sir, respectfully

Your Obt Servt

J Hamilton

The Hon
J S. Mayfield
&c &c &c.

London July 12th 1841.

Gen Hamilton
Sir:

Mr Guizot
Relating to Washington

I have received a Communication, through the Texan Legation at Washington, stating to me, the fact, that a difficulty arising although the difficulty from a trivial cause had taken place, between His Majesty's representative between Mr at Austin, M De Saligny, and the Texan Government; and that M. Saligny's official despatches under date the 24th of April, had been addressed to Government Mr McIntosh, to be laid before His Majesty's Government, fully of Texas — detailing all those circumstances of this case.

I am led to infer, from a paragraph in the Paris papers, that Mr McIntosh's despatches have probably miscarried, and from the importance apparently given to the transaction, that His Majesty's Government have only Mr Saligny's statement before them. — I deem it proper to assure Your Excellency, that however inconvenient it is to my engagements in London, I shall leave this for Paris on Thursday next the 15th inst for the purpose of having an early interview on this subject.

I am authorized in conversation with Mr McIntosh, to present a correct Statement of the facts in the case, by which,

assured, that if the Constitution and laws of Texas, have forbid the President from complying with the requisitions of Mr De Saligny, that the Government were influenced by no want of respect to His Majesty's representative.— I beg leave also to state, that in making these explanations, I feel myself amply empowered, to do whatever in the premises the law of Nations, and the courtesies among them, may render necessary, and which I feel assured will be promptly carried into effect, by my Government.

Should any thing from mis-apprehension, have been done, or omitted, by the Government of Texas, to secure the immunities which the Representative of His Majesty may have been entitled in his public capacity, this duty on a proper representation from Your Excellency will be promptly discharged.

Under these circumstances I hope, until I have the honor of laying the case before Your Excellency, and your hearing both sides no decisive measures will be taken, in relation to a matter, of so much delicacy and importance.

You may be assured, that every consideration of friendly respect, towards His Majesty's Government, would forbid the possibility, of the public authorities of Texas, or their people, in being wanting, in a proper regard for, and protection of, the rights of His Majesty's representative.

I have the honor to remain with the greatest respect
Your Excellency's most Obt Servt

To His Excellency
M Guizot
&c &c &c.

J Hamilton
Envoy of the Republic of Texas

Mr Exc' forwarding his credentials as charg'd' affaires from the U States

Galveston, July 18th 1841.

To His Excellency
Mirabeau B. Lamar
President of the Republic of Texas.

Sir:— Having been appointed by the President of the United States, Charge' d' affaires to the Republic of Texas and having in my possession a letter from the Hon Daniel Webster Secretary of State of the United States accrediting me to the Hon the Secretary of State of the Republic of Texas, in the absence of that functionary I am ready to wait on your Excellency and present my credentials at any time and place that may best suit your convenience

I am Sir,
Your Excellency's Obedient Servant
Joseph Eve

Gen Hamilton's relative to the conduct of Mr Saligny

Paris July 22nd 1841

Sir:

In conformity to the intimation I had the honor to transmit to you in my of the 16th inst I beg leave to inform you that I repaired to this Capital, without fraud Mr Mc Intosh and was happy to ascertain that his despatches to Genl. Cramineca the correspondence between yourself and Mr De Saligny Charge' d' affaires of the French Government, which he had personally Ministers of foreign affairs with a very able and explanatory &c has left me nothing to do, as Mr Mc Intosh has made every and honor of Texas may have made an ex- &c an explanation &c Mr

on Paris, and if it had not been of the last importance to have prevented a this time any hostile demonstrations or any event of a doubtful character on the part of the French Government on the Coasts of Texas— I am happy to assure you, that none such is intended, however tardy the Minister of foreign affairs appear to be in replying to Mr McIntosh's letter of the 5th July requesting M De. Saligny's recall.

I will write by the Boat of the 19th August, on my return to England, to the Secretary of the Treasury on the subject of the Loan, and when in all probability Messrs Laffitte &c. may be able to declare the subscription definite.—

I enclose you a Copy of a letter I addressed Mr Guizot on reaching Paris; also a Copy of Mr McIntoshs despatch.

I have the honor to remain Very Respectfully

Your Obt Servt.

J. Hamilton

(Copy)

Sir. Paris July 21st 1841

I arrived here this morning and having ~~arrd~~ having had an interview with Mr McIntosh the Chargé d'affaires of the Republic of Texas, and finding him in full possession of the views of his Government and that he had laid its Correspondence with M De Saligny, with a Communication from himself before your Excellency, I deem it altogether unnecessary to write to you on the subject.

Mr McIntosh's powers are full plenary to act in the matter to whom it would be proper it should be exclusively confided.

I have the honor to remain

Your Excellency's

Most Obt Servt.

His Excellency J. Hamilton

Mr Guizot

&c &c &c.

(Copy)

Legation of Texas

Paris July 5th 1841.

Mr McIntosh to Mr Guizot Relative to the misunderstanding between M Saligny Chargé from France, and the Government of Texas requesting the recall of M Saligny &c &c

The Undersigned Chargé d'affaires for the Republic of Texas, begs leave to inform His Excellency M Guizot Minister of foreign affairs, that he has just received a despatch from his Government which has enjoined upon him the painful duty of laying before the Government of His Majesty the King of the French a series of conduct on the part of M Saligny the Chargé d'affaires of France in Texas which has given great dissatisfaction to that Government, and which will is confidently believed will be disapproved of, and discountenanced by his own.

The Undersigned is expressly instructed by the President, that while addressing the Government of His Majesty on this most unpleasant subject he shall give the strongest assurance of the gratitude of Texas for the friendly sentiments hitherto manifested by France towards her, and the great desire which she feels to maintain and cherish the most amicable relations with a nation which was the first in Europe to recognize her claims to independence, and at the same time to give the assurance that a disposition sincerely felt not to take any step which might seem even for a moment calculated to disturb those relations has restrained the President up to the present time from complaining

Course to his Government, and would have restrained him still longer, could he have entertained the hope that his forbearance would have been appreciated by Mr Saligny, or have induced him to pursue a course less derogatory to his character as the Representative of a great and friendly Nation.

The undersigned is instructed to say, that on the first arrival of Mr Saligny in Texas, he was received not only with the kindly feelings induced by a grateful recollection of the friendship exhibited by his Government towards our own; but with such public and private manifestations of courtesy and respect as should have been sufficient to convince him of the warm desire of the Government and people of Texas to cultivate and promote the amicable relations existing between the two Countries, and at the same time to render his sojourn and residence in Texas personally agreeable and pleasant to himself.— This disposition however seems not to have been appreciated by Mr Saligny.— From the moment of his arrival, his conduct has been arrogant to the last degree, not only in his private transactions, but towards the officers of the Government to which he was accredited.— The Undersigned is instructed that one of his first acts after having reached Austin, was the payment of a poor man who had transported his furniture and effects from the sea coast in Counterfeit money, which he afterwards on being applied to refused to take back or redeem.— Shortly after this, Mr Saligny had a dispute with his Landlord in consequence of his refusing to pay his bill for board.— The Government profess to know nothing of the merits of this Controversy as respects the charges of his Landlord, and regarded it as a private transaction, in which they were neither requested nor called upon to interfere, but on Mr Saligny's complaining in private conversations of the language used in reference to him by Mr Bullock) his Landlord) the Government of Texas procured an act of Congress to be passed, rendering liable to punishment by fine and imprisonment any individual who should speak in disrespectful terms of any Foreign Minister accredited to the Government.— This act it is believed by the Undersigned goes as far if not further in any other Nation has ever gone in providing for the means of carrying out the principle of the law of Nations which affords protection to foreign Ministers; and as it was known to Mr Saligny that it passed in direct reference to himself, it was hoped that he would see in it the sincere desire which the Government of Texas felt to protect him from annoyance of any kind, however those annoyances might have been produced.— It seems however to have been insufficient to satisfy Mr Saligny.— In the mean time the dispute between Mr Bullock and himself continued, and was greatly aggravated on the part of Mr Saligny, by his causing the property of the former to be repeatedly (and as is urged by his adversary wantonly) destroyed, until it resulted in a rencounter between Mr Bullock and that domestic of Mr Saligny's who had been mainly instrumental in destroying (Bullock's) property.— This rencounter led to the correspondence, a copy of which the undersigned has the honor to transmit to His Excellency M Guizot, and which finally resulted in Mr Saligny's refusing all further official intercourse with the Government of Texas.— The Undersigned trusts that His Excellency M Guizot will perceive in this Correspondence, not only the strong desire entertained by the Texas Government to preserve the most friendly and amicable relations with France, but also their disposition to preserve inviolate the law of Nations, by extending to Mr Saligny and his household every protection, which his character as the Representative of a great and friendly Nation entitled him to expect.— He will perceive that the legal and most steps were promptly taken for the prosecution of Mr Bullock for the assault complained of, and that notwithstanding the embarrassments thrown in the way of that prosecution by the refusal of Mr Saligny to permit his Servant to give testimony in the ordinary way known to our Constitution and laws (the causes for which refusal the undersigned confesses himself at a loss to understand) it nevertheless resulted in causing Bullock to be bound over to our Criminal Court to answer for the offence.— Mr Saligny himself in his letter to the Secretary of State of the 28th February, [illegible] in the result of this proceeding, and yet in his letter of the 1st [illegible] and reproaches the Government for not having given [illegible] assault upon his

with observe by the correspondence, the controversy between Mr Bullock and Mr Saligny opened a more serious aspect, and finally resulted in Mr Saligny being himself assaulted by Bullock. This act met with the unqualified disapprobation of the Government, and the undersigned is instructed to state, with the utmost severity of the law, although the terms in which the official letter of Mr Saligny communicating the facts was couched, are strongly complained of as disrespectful to the Government, to which he is accredited. —

The undersigned is instructed to say, that it is not however to meddle the Correspondence of Mr Saligny of which the Government of Texas complains, as of his grab deficiency from official propriety and decorum, by publicly and privately speaking in terms of vituperation and abuse of different officers of the Government, by endeavouring to excite discords and distrusts between our citizens and those who are charged with the administration of our laws, and by his intermeddling both in the foreign and domestic relations of the Country, instances of which have been forwarded to the undersigned with instructions to lay them before the Government of His Majesty. During the last session Mr Saligny proceeded to be successful to the congress of Texas, a bill asking for a grant of three millions of acres of lands and other large privileges to be conferred upon two Gentlemen named in the bill, and such other persons as they might associate with themselves. In the benefits to result from this bill (which at present a law) it was understood that Mr Saligny was to be the principle participant, and during its progress through Congress, he was constant in his attendance upon that body encouraging its friends, and endeavouring to frown down those who opposed it. all of whom incurred not only his censure, but were the objects of his public vituperation and reproaches. Since his letter of the 21st March to the Sec. of State, he has stated, that although he declines all intercourse with the Government of Texas, he will continue his intercourse with the people as he believes they will sustain him against the Government, thus attempting to create parties hostile to the administration of the Government to which he is accredited. Indeed since the discontinuance of his official intercourse with the Government, he has procured the getting up of public meetings, the avowed objects of which were to pass upon what he terms the controversy between him and the Texan Government, and in which the most inflammatory speeches were delivered and uttered against the administration. — Mr Saligny has likewise interfered most improperly in the foreign relations of Texas, by attempting to produce difficulties in her negotiations with Mexico which in themselves are sufficiently delicate. While a mission was in preparation to be sent to Mexico under the Convention recently entered into with Great Britain, the object of which was to negotiate a peace with that Government, Mr Saligny stated publicly that he had written or would write to the French Minister at Mexico, giving him an account of the dispute with the Texan Government, with the intention that it should meet our Minister on his arrival in that country, and as it was intimated, to prevent the reception, or otherwise embarrass his negotiations.

The Undersigned is instructed to state, that however much the President of Texas was disposed to look over what he was compelled to regard as the improprieties of Mr Saligny while his acts were confined to the limits of the Republic, and being known could be duly appreciated, he could not, under any degree of justice to his Country, permit this last act to pass unnoticed, and without communicating it to his (Mr Saligny's) Government.

The Undersigned is therefore instructed by the President to make these things known to the Government of His Majesty the King of the Belgians, and respectfully to ask the recall of Mr Saligny, believing as the [illegible] that after such an outrage [illegible] the

cannot be rendered profitable to his own Government- or be calculated to secure that free and harmony between the two Governments which is so earnestly desired by Texas.— Under the circumstances, and there being no object- which the President and his Cabinet- and the people Texas at large have more sincerely at heart- than the Continuance of a close union and perfect— harmony between the two Governments.— She undersigned is further instructed to request- of His Majesty the King of the French that these feelings may be resumed and kept up through the medium of such other agent- as his Majesty may be pleased to send to this Country.

The Undersigned avails himself- of this occasion to offer to his Excellency Mr Guizot the assurance of his profound Consideration.

Geo. S. McIntosh

V

86 Rec
Relating to the right of permitting

Legation of Texas
Washington August 5th 1841.

The Hon Secretary of State

Sir: although in my late Communication to you I did not deem it practicable to enter into Treaty Stipulations relative to "body Servants"— yet it is proper that I should say, Mr Webster thought- it highly probable by my having an interview with the Attorney General such a Construction could be put upon the law of 1807 (and from which I believe) as would warrant an individual having his Servant, as he could not conceive from the law meant to do more than interdict the Slave trade.— I have been very unwell and have not yet seen Mr Crittenden: but I have examined the law, and am satisfied that the only mode by which we can attain our object, and a very reasonable one.— is by getting a Special act of Congress upon the subject; and I shall make it my duty to attend to it, this not at this Session.— I forward a Communication from General Hamilton.— and I will add the Conclusion of his letter to mine

"Continues to write to me, altho I have not the smallest doubt "I shall leave in September— when I hope for a triumphant- close of all my labors"

I am with great esteem
Yours.
Barnard E. Bee

Special relating to the claim of the Messrs Sigaudis on the subject of the claim of the Messrs S De Sigaudi & Co of London, has for spoliations received and its contents duly noted.

Houston, Septem 16th 1841.

Hon Samuel A Roberts &c &c.

Sir:

Your communication under date of the 23rd

&c &c &c

Promptly and agreeably to your request- requiring to exhibit my authority for the settlement of said claims, I have the honor herewith to inclose two powers of attorney which I hope on inspection will be found ample. sufficient.— The other papers, that is to say, the proofs substantiating the claim. self will be forwarded so soon as I can have Notarial Copies taken of them.—

A long time has elapsed since the spoliations complained of have taken and the Messrs Sigaudis are exceedingly anxious to have the matter settled, therefore with the greatest pleasure I receive the kind feelings and the disposition manifested by His Excellency the President- in regard to the alledged and I have no doubt- the proofs of the actual injury committed and will have the honor to forward you in a few days will be found so plain same time so strong and so clear as will at once terminate the broad National principles of the and submitted before

in what manner the investigation is to take place, and whether my presence at Austin will be necessary or if it can be conducted by correspondence.— to either of the two modes I will cheerfully acquiesce, although the uncertain situation of my business at this time will not permit me to be too long absent from this place.—

On your last despatch I was charged $2 postage— I would respectfully ask whether it is not usual on cases to have the postage free.

I have the honor to be
Your most Obt. Servt.

S. Gaston.

San Antonio
September 13th 1841.

Hon.
Saml. A Roberts &c &c
Dear Sir

Jno D Morris relating to his Mission to Mexico— correspondence with Gen Austin

Your communication sent by the hands of Major Garwarady suggesting the necessity of the presence of either Mr Yanncy or myself "immediately" at Austin has just been received, and we regret extremely that its call cannot be responded to as you seem to wish and we would desire.

As you are aware, our Court is now in session in which we both have many cases of importance which cannot be neglected but at great loss to our selves clients.. My own indisposition, and in fine many other circumstances render it utterly impossible to leave home at present.. We however hope that this communication, which will be sent by Mr Chevallier will be all sufficient to enable you to treat fully with the Commissioner from Yucatan and enter into any negotiation which may be deemed fit with that gentleman.

It is not my intention to enter into a full detail of all the transactions connected with our Mission for time would not allow.. and we shall be in Austin so soon as the Court adjourns at that place, which will be on Friday or saturday next, when a full exhibit of our correspondence and communications with Gen Arista will be made. Suffy them it necessary at this time that no treaty or stipulations has been entered into by Gen. Arista with us, which can in the slightest degree clash with any arrangement which may now be made with the Commissioner from Yucatan. whether of a hostile or pacific character towards the Government of Mexico. and that the Republic of Texas, so far as our Mission is concerned, is perfectly free and open to pursue any course which it may deem fit towards that Country.. No stipulations have been entered into, restraining the movements of Texas in any manner whatever, and so far, we stand on the same position towards Mexico, which we have always occupied.

I will add in conclusion, from many circumstances which came within the scope of my observation, that whilst Mexico has not the most remote idea of ever invading Texas yet she has no stronger inclination to recognize our independence than when Santa Anna first marched against us with his invading army.

With the highest regards. I remain
Your friend & Servant
John D Morris

Hon Isaac N Roberts
&c &c &c

San Antonio
30th September 1841.

Sir. In compliance with your request that a full and correct statement be made of our acts and proceedings whilst acting as Commissioner of this Government with General Arista, we respectfully the following statement.

We left San Antonio with Doc. Rafael Uribe, the Commissioner sent out by Arista; and on the tenth day afterwards arrived at the Town of Guerrero, situated ten miles on the west side of the Rio Grande. — Here being received and treated with the most marked attention, we determined to remain a few days, until our horses should be sufficiently recruited for the travel to Monterrey, at which place we were informed Arista was then quartered. — During our stay at the abovementioned place, a communication was received by Mr Uribe from General Arista, the purport of which, inasmuch as we have no copy, you can readily conceive, from the following note, which we addressed to Mr Uribe. —

To Doct- Rafael Uribe

Sir: we have been informed this morning by Col. J. N. Seguin that you have received a Communication from General Arista, expressing some surprise that he (Col Seguin) should have visited this frontier in the character of a Commissioner from the Republic of Texas; and requiring him not only to communicate to you the object of his mission; but to remain here until further intelligence from General Arista, should be had of the object of Col Seguins visit, we presume he will himself inform you. — That he is charged with a Commission from the Government of Texas, is an error, for the undersigned, as you will see by the accompanying passport are the bearers of that Commission.

We do not hesitate to say that the communication of General Arista has surprised us, for with every confidence in his well established character for ability and honor, we would not otherwise than supposed, that the same Courtesy and protection extended on Texas to his Commissioner would have been reciprocated to us. — nor do we yet doubt it, when he shall be correctly informed upon the matter.

General Arista cannot for a moment presume that we have in view, or intend to broach the question of the recognition of the Independence of Texas, or that of peace between the two Governments. — These are subjects alone for the consideration of the high powers of the Nation. — The business intrusted to us by the Government of Texas relates exclusively to the affairs of the frontier under the Command of General Arista; and will be laid before him at such time and place, as he may see fit to appoint. — Far would it be from us or from the Government we represent to propose to General Arista, or expect of him aught that would be inconsistent with, or in the least compromit the high character he sustains as an officer of the Mexican Government; and we cannot but regret that he should have been induced by an erroneous impression to delay a more immediate and direct Communication with himself. — When he shall facilitate to us the means of a fair understanding and full exposition of our instructions he will find that any proposition we may make, will be within the scope of his authority dictated by honor, and not only countable, but consequent to a State of honorable hostility. — In the mean time will await at this place further intelligence from General Arista.

We will here take occasion to say that the rumors of the approach of Texan force, to attack this frontier are entirely groundless; nor will any party authorized by the Government of Texas make an exhibit or commit any act of hostility during our visit, should any depredations be committed, we can assure you they will proceed from unauthorized banditti.

With the highest regard we remain

Your obedient Servant

O Van Ness
I D Morris

Before receiving a reply to the above Communication, and whilst we were still in Guerrero, Col Jose Maria Carrasco, an officer of the Mexican Army, arrived at that place bearing despatches from General Arista, together with letters written by Arista, to Carrasco.— In which, after enjoining upon Col Carrasco, to treat the Texan Commissioners with the most marked attention and politeness, he authorized him to enter into a formal negotiation with us, ascertain the object of our Mission and give us one finial answer.— Expressing at the same time his full confidence in the skill and ability of Col Carrasco, and his intimate acquaintance with his (Arista's) plans in relation to this country, Col. Carrasco waited upon us at our quarters, and after a long and an hus part, as it seemed to us, very confidential communication, he desired that we should reduce to writing the main features of our Mission, that we might more fully understand each other, which was done.

Before giving you these written Communications, I will premise by a short history, of the impressions made upon me by repeated Conversations with Col. Carrasco.—

He is a young officer of great popularity and promise in the Mexican army, and was engaged in the past year in Negotiating the Treaty with Bravados and the Federals; and is suspected by many of being strongly inclined to the Liberal side.— He told us that the whole Country North of the Sierra Madre, was then and had been in a State of violent commotion and agitation, that the Federal cause far from being smothered, and destroyed by the events of the past year had only been depressed for the moment, in order that it might break out in a form which would give a greater guarantee of success, and from many observations which dropped from him, from the high stations which Canales and Cardenas now occupy, both as officers of that Country, and in the estimation of General Arista, my conclusion was that, the Treaty with Canales, was simply an arrangement between him and Arista that the Federal cause, which was then rather desperate, should be depressed for a while again to rise at a more favorable opportunity, under the guidance and with the assistance of General Arista. Such are our impressions in relation to that Treaty; but whether the result contemplated by the Federalist in its negotiation, will ever be accomplished, is, so far as I could ascertain a doubtful matter. The two principal and prominent Characters now in Mexico, are General Santa Anna and General Arista,— Both have much Military fame, both men of unbounded ambition, both aiming at Presidential Chair, and two more violent opponents both personal and political, perhaps never lived.— It is thought the power and influence of Santa Anna, even by the friends of Arista, is much greater than that of Arista; and that should no unforseen event take place that he will be the next President, and of course Arista be immediately crushed.— But in the many changes, and revolutions which almost daily transpire in that country, Arista's chances with but one single opponent, is considered to be good; such is the position in which Arista stands, with but one single opponent to the Presidential Chair— and this peculiar position may account certain matters, in relation to our Mission which might be otherwise difficult to explain.— Col Carrasco, unhesitatingly declared, that he himself was a Federal, and Arista would head the party, in the revolution which would break out at the very first moment when a favorable opportunity presented itself.— That he was most anxious to conciliate the friendship and perhaps the assistance of the Texans &c &c.

We were constantly enjoined to the greatest secrecy whilst treating with both Carrasco and Arista, and great fears seemed to be apprehended least something connected with our Mission might transpire.— and we were requested by Colonel Carrasco and General Arista, in our written Communications, which would, of course be transmitted to Mexico, to be as mild and conciliating, as the nature of things would permit; and by the former, that it would be impossible openly and publicly to concede to our propositions, but that whilst a secret Negotiation might take place, in which all our propositions and plans might be carried out; still the answer which appeared to the world, and more especially that which would be sent to Government authorities at-

Mexico, should contain a flat and positive refusal of all our propositions— (By the way it is difficult that a people like ourselves who have always been governed in an openhanded way, to comprehend the Mexican mode of doing business, where every thing is carried on in the dark and where no public measure is even adopted, but, one of duplicity and deceit—) In a few words I will attempt to explain—

The supreme authorities in Mexico, for many reasons are most inveterately opposed to any thing like conciliation with Texas, and even the favorable reception of any Texan in whatever capacity he might go, would be considered as a highe crime in the eyes of that Government:— General Arista, or rather his agent- Colonel Carrasco, was anxious to Conciliate and to accede to our propositions; but at the same times wishes to hoodwink his Government: He therefore privately entered into an agreement with us, and publicly declared his utter refusal to comply with our propositions.— but at the same time The truth is the whole Mexican Country is in a perfect ferment, and on the eve of a great revolution.—

Arista is still doubtful as to the probable result of this impending revolution; and with a fair prospect of the Presidential Chair on one side, should he adhere to the Central cause, and the absolute certainty of being elevated to the highest station in the Nation, should he espouse the Federal cause, and in case of their success— In this state of affairs Arista is hautling, as to his decision— He is privately conciliating the citizens, all of whom, with but few exceptions belong to the Federal party; and inducing among them the belief that he inclines to their side; whilst all his public acts which he knows must reach to Government, would declare him the most uncompromising and devoted Centrist— Hence arises the unmitigated abuse of Texas and the Texans, which daily emanates from all the newspapers, and more especially from that one, which is paid, & supported by himself— Hence his refusal to accede to our propositions, and hence the great hospitality which attaches to him among the liberal party on the frontier; and his polite and kind reception and treatment of the Texan Commissioners on that frontier.—

You will find in the Copy of our Communication to Col Carrasco, which immediately follows, the propositions which were made by us.—

Guerrero July 25th 1841

Col Carrasco

In compliance with your wishes as expressed in the interview of this morning, we will proceed to communicate to you frankly and explicitly the business entrusted to us by the President of Texas.

The Government of Texas has witnessed with regret the sectional and border war now existing and which has existed several years past on the adjoining frontiers of Mexico and Texas, and which, of late, divested of almost every feature of national contest between the two countries, has become little better than a system of predatory incursions and foray, attended with no other results than the pillage and ruin of unoffending citizens and settlements— This state of things is not only destructive to the interests of important sections of both countries, but is derogatory to the character of enlightened and honorable people, and should not be allowed to continue any longer; degrading the profession of arms into robbery and murder, it can only lead to crime and individual suffering, without tending in the least degree towards the adjustment of the difficulties between the two nations. When either party shall chose again to enter the arena of war, the contest ought to be a national one, and should be conducted in a manner consonant with the characters of the contending parties.— Texas on her part, will never vary from that course unless driven from it in self defence by some intolerable conduct of her adversary.—

Entertaining these views and believing that General Arista is actuated by the high and honorable feelings which always belong to a soldier and gentleman, and that it is only necessary to call his attention to the evils alluded to, to secure his co-operation in putting an end to them, we now propose to you a suspension of all hostilities for the present, or at least the abolishment of that petty warfare, which is calculated to engender personal feuds and revengeful feelings that now upon the border, long after peace has been established—

with the same worthy feeling which has induced our visit, and our suggestions considered in a spirit of justice and liberality, we presume some arrangements could be entered into which would place the relations and intercourse between the two frontiers (even though hostile) upon a higher and more honorable footing; and which while advancing the interests and conciliating the situations of many, will not compromise the character or dignity of either nation. War, open and honorable war, we neither shun nor invite; but preferable and far more honorable it is, than the species of hostility now conducted. If hostile, let our animosity be exhibited in a manner worthy of the advancement of the age in which we live.

And we must here take occasion to say, that unless some measures are adopted which will relieve our border settlements from the continued apprehensions they are under, Texas will be forced to take retaliatory steps. Self defence and the imperious calls of her suffering frontier will compel her to adopt that course.— Nor do we use this language as a menace, but in complying with our instructions, at the same time that we propose to avoid the necessity of such an event, we deem it our duty to apprise you of the consequences that will inevitably result from an adherence to the system hitherto pursued.

You cannot but be aware that even at the present time, a considerable commerce is carried on between the inhabitants of the two frontiers, and notwithstanding the vigorous efforts which have been made, by the authorities both military and civil to put an end to this trade, it continues to exist. That it is beneficial to both countries cannot be denied; nor do we believe it possible effectually to check it unless at an enormous expense and trouble; an expense entirely beyond any benefits to be expected. By authorizing that commerce and protecting it, instead of persecuting it, we entertain no doubt, but that results of the most important character would be realized by you.— And as it must exist why not place it upon that footing, that will enable you to derive the great benefits which must necessarily arise from it.

Such Sir, are the propositions which we make and the part of our Government, and, for their complete fulfilment should they be conceded to by you, every effort will be made on our part. But should you deem the course we propose to be unwise and impolitic, we will console ourselves during the evil consequences which must arise, with the knowledge that every thing has been done on our part to prevent them.— Such an event we do not however for a moment contemplate, and shall remain, until convinced by your reply, that matter so evidently beneficial to the frontier of Mexico, will be immediately adopted.

We have the honor to be

Your Obedient Servant,

C Van Ness
I. Q. Morris.

In answer to the foregoing, we received as we had been led to expect from our conversations with Col Carrasco, and to the original of which is herewith transmitted, expressing his inability and unwillingness to enter into any negotiation upon the subject. But an absolute verbal pledge that so soon as the matter could be secretly arranged, the ranging parties who are now stationed on the frontier to intercept traders, and by whom our frontier has been continually harrassed, should be removed; every effort should be made, to prevent any hostile movements by the citizens, and that so far as they were concerned the trade, should proceed free and uninterrupted. As to the propositions in relation to the cessation of hostilities, we found no difficulty upon that point; but as the subject of the trade

we found him difficult to persuade. We stated that during the last two years the trade from the frontier limited and crippled as it had been, had reduced the Government revenue to a large amount, that the Town of Matamoras, which up to that time, had been a flourishing and improving city, had dwindled away to almost nothing, and that very little more than one fourth of the revenue formerly accruing from the custom house at that place could now be obtained; and that hence the operations of the army had been much restricted, for their principal support had been derived from this source. And it does seem to me that there is no course which this Government can now pursue, so well calculated to annoy and distress the central party on that frontier, as, an encouragement and prosecution of the contraband trade.— For at the same time that we are ourselves receiving, an immense benefit, our friends too are on the other side reaping a harvest, whilst the strength and resources of the Mexican army are curtailed to large amount.

We however eventually prevailed upon Barrasco to concede this point, and started on our way to Texas.— We had re-crossed the Rio Grande, when we were overtaken by express from General Arista, bearing passports, and a note requesting us to proceed immediately to Monterrey. An escort of eight men we found in readiness at Guerrero, and in five days reached Monterrey, where we were received by General Arista with the most marked attention and politeness.

The following is a copy of a communication which we sent to General Arista after our arrival.

Monterrey, August 6th 1841.

To Don Mariano Arista.

Sir:— We presume that ere this you have received the note directed by us under date of 25th ult; to Col Dn Jose Ma. Barrasco, communicating to him the subjects exchanged to us by the Government of Texas.— We will now respectfully call your attention to that note, believing that it is unnecessary to add anything to the points therein suggested.— And although the answer of Col Barrasco, was different both in tone and tenor from what as friends of justice and humanity we had expected, we must be excused from any reply.— While we may be fully sensible of the unjust and incorrect grounds he assumes; yet as it is not our purpose to engage in an angry and recriminating discussion, which far from tending in the least towards the accomplishment of our views, could not otherwise than aggravate existing evils, we will without further comment submit the propositions to your enlightened judgment.— None but sentiments of a noble character and disposition to avoid if possible, an extermination warfare, which continued and repeated aggravations and injuries are fast bringing on, have induced the President of Texas to make this appeal. What were the cause or origin of the present unfortunate State of things on our adjoining frontiers, it is useless now to inquire— Suffice it to say, that that crisis has arrived, which requires the immediate and remedial influence of intelligence and chivalry, or the most disastrous effects of unbridled and revengeful passions will be felt upon the border.— To avoid if possible, this result, is our present purpose, and that our efforts will be reciprocated we will not permit ourselves to doubt.

We remain with the highest respect
Your Obedient Servants

A Van Ness
J D Morris

In answer to the above communication an answer was handed us by Arista, the original of which, inasmuch, as I have no correct translation, is herewith transmitted, from which you will perceive, that he declares his inability, as an officer of the Mexican Government to entertain any conversation with us on the subject set-forth in our note. We had however a long, and confidential conversation with General Arista, in which he stated that the regular troops ranging on the frontier, had always received his express orders, not to pass the Rio Nueces, which he alluded to as our boundary; and never to molest unoffending citizens, and that these orders should be enforced.— But he said that for his own protection, he should be compelled to use every means in his power to put a stop to the trade. He informed us, that at present, and for a long time to come, no hope need be entertained by Texas, of a recognition of her independence by Mexico, not only on account of their inveterate animosity entertained towards us; but because a Texas campaign was always a sure means of raising money, when required by the Government. But that we might be well apprised that no hostile operations, would or could be made against Texas for the present.

I was particularly struck with one thing— that-whilst every newspaper and public Gazette in the whole country, were teaming with abuse against the Texan robbers, as we are called, and urging the Government and people to retrace and restore the honor of the Mexican arms, but at San Jacinto, not one word was ever said about Bucalar & Salcsco, the provinces now in a State of open revolt.

During our sojourn, some twelve days, in Monterrey, we received every attention from Arista, his officers, and all the people; and when we departed were escorted as far as the Rio Grande by an officer and eight soldiers.— I feel no hesitation in believing, that in a very short time, there will break out a terrible revolution throughout the whole of Mexico; and the result we be the erection of a Government, at first, purely democratic.

With this slight history of our transactions and the impressions made by our observations in that country.

I remain your obt Servant

Jno D. Morris

I feel it further incumbent on me to add, that whilst we were in Monterrey, two Mexicans who had been taken by a party of Texans near Goliad, and made their escape, came into Town! The occurrence produced a great excitement among the liberal party, the friends of Texas, and two Americans, Doc. Somervell, were on a day or two afterwards placed under arrest.— The effect of hostile movements on our part, upon the frontier, could so far as I could perceive result in no beneficial effect; but could render many who are now firm friends, in self defence, our most inveterate enemies. Could Matamoras be destroyed, good might result; for then, all are Centrals, and all most bitter enemies of Texas.

Yours &c

Jno D. Morris.

Copy of Gen. Arista's note, &c. &c.

Army of the North
Cond. of Gen.
Private

Monterrey August 18th 1841

Messrs Van Ness & J. Morris

Esteemed Sirs.

When I consented to your arrival at my head quarters, it was in consideration of your having protested in a note to D Rafel Uribe dated 18th Inst, that the subject of your mission was entirely foreign to the question existing between the supreme Government and her revolted colonies.—

I perceive in your note of yesterday, you touch upon points tending doubtlessly to that subject, and which I cannot investigate; my answer therefore must be confined to the following remarks.

The question alluded to is of a domestic nature; there can be no doubt that Texas belongs to Mexico, and that the inhabitants of that territory, have rebelled against the legitimate Government. It is not to be presumed that in this case, the rules and forms observed by different nations at ipsue with each other, at all exist, much less that international laws be recured to. Upon this principle then, no relations or Treaty whatever, can be entered upon, which does not have for its basis, the subjugation of that country to the Government of Mexico.

I assure you, nevertheless, that the General who commands the Mexican troops on this frontier, is acquainted with the laws of war, and acting conformably therein, with the instructions of his Government, and with the Spirit of the age, can duly appreciate the laws of humanity; and never attacks the innocent citizen, particularly as he is persuaded that in Texas there are many pacific persons, who heartily desire to return to obedience to the Republic.

I see, from what has been written and said, that nothing can be agreed upon relative to this subject; that hostilities must continue — and that perhaps the day is near at hand when this question will be settled in the manner which, for the honor of their country, all Mexicans desire.

As I consider our conferences at an end you can return to Texas, assured of your personal safety, and of the private esteem and friendship of

Your humble and obt Servant

Mariano Arista

London September 3rd 1841.

Sir

I had the honor to receive your despatch of the 5th July, covering Judge Webb's correspondence and detailing the final result of his mission. This result does not surprise me, as I think it was to be expected that Texas moved until the British Minister communicated whether the mediation was accepted.

I sincerely trust war will not be declared or any hostile demonstration made until the meeting of Congress in November, by which time I think I will have placed the whole Texan under investment, and the Government be able to take a calm survey of the relations and positions of the country.

Any extra Session now would be regretted as nothing definitive can be done or decided on, until my negotiations are finally closed here. The Tories have come in in great Strength, but they will be quite as friendly to Texas with greater Strength to serve us.

If there should be an extra Session of Congress the Slave Trade Treaty had better not be brought up to the view of Congress until I arrive.

With great respect and Esteem
Your Obt Servt.

Hamilton

Samuel P. Roberts Esqr
acting Secy of State

Houston Octr 6th 1841.

Hond
Saml. A Roberts.

Sir: Yours bearing date September 29th came to hand this morning. I am sorry that so much delay is involved in my negotiations with the Government of Texas, on a matter which should have been settled long ago. As far as my agency is concerned, I have already furnished the Department of State, with the highest evidence of my Procuratorship which I am commanded. Under the laws of Louisiana (in which State the Messrs Sigandi reside) original acts remain in the office of the Notary, before whom they are passed for record, and copies alone are ejected as evidence of authority. The object of such registration is I presume to guard against possible loss — another reason, is to provide for a contingency which in this case has really happened, to wit — the absence of the principals, Mr Gordon being at this time in Europe. The documents sustaining the claim, I shall forward by next mail, and in the mean time shall call upon the Messrs for all further necessary instructions, enclosing them a copy of my correspondence with the State Department of Texas.

As regards the general view which you take of "originals," I must say if the Department insist upon that novel position, a difficulty will be created which will do away the necessity of prosecuting the claim any further. The Captains protest, the evidence of capture &c and all corresponding documents, are on file in the office of the British Minister in Mexico, and as a matter of course, their value as testimony can only be secured by authenticated copies — Such I have been informed and believe, has been and is the commercial and diplomatic usage of all other nations, and I hope that the Texan Government will be slow to modify or set aside such a broad and acknowledged national principle which is fundamental in the assertion and security of private rights. I hope therefore that the official appearance of General Henderson and General Hamilton to Lord Palmerston, that the whole matter would be brought to a "speedy issue" will be met by a corresponding activity at the Department in Austin so soon as the documents substantiating the claims shall have been received.

As regards "charges of postage", I have only to say, that it is contrary to all acknowledged diplomatic usages, and an direct opposition to an expressed Texan Statute on that subject.

I am Sir, with the greatest respect
Your most Obt Servt

J. Pickett

(No 3.)

Legation of the United States
Austin City, November 6th 1841.

To the Hon.
Saml. A. Roberts
Secretary of State of the Republic of Texas.

Sir:— I herewith enclose to you a copy of a letter of General Hunt (while acting as Minister of Texas to the Government of the United States) to Mr Forsyth, then Secretary of State of the United States, In which Mr Hunt requests of Mr Forsyth, a letter of acquaintance on behalf of Mr Monroe Edwards to some persons in England; and as Mr Edwards has since been charged with the commission of an infamous crime in Texas; and as same complaints have been made against Mr Forsyth in this country, for giving Mr Edwards a letter of introduction to Mr Stephenson the foreign Minister from the

the United States to the court of Great Britain, I am instructed by Mr Webster now Secretary of State for the United States, to say to you, and through you to your Government, that Mr Forsyth had no other knowledge of Mr Edwards, than was derived from General Hunt's letter, which expressly requested the one given by Mr Forsyth.

With renewed assurances of my high regard I have the honor to be
Your obt Servt
Joseph Eve.

(Copy)
Mr Hunt to Mr Forsyth.

Washington City
May 22nd 1838.

Dear Sir.

I take the liberty to request of you on behalf of an estimable young friend of mine Mr Monroe Edwards, a letter of acquaintance to some person in England, as he is about embarking for that country on a trip of pleasure. I had the honor of introducing Mr E. to you but a short time since, while he was in this city, please enclose the same to Major Harris at Gadsby's.

I have the honor to be
Your Obt Servt
(Signed) Menucan Hunt.

Note:- The following letters from James Treat, were mislaid by the President the cause of their not being recorded in the proper places.

My Dear General. New York September 3rd 1839.

Pursuant to your own request, that I should communicate to you privately and frequently, I have now the pleasure, as well as gratification, to address you for the first time, since I took my leave. From New Orleans, I addressed two official letters to the acting Secretary State, and also a private or friendly communication, containing such views as I found contained in my letters from Europe and from Mexico. I requested Judge Burnet, to show you those communications, which I have now doubt was done, without any delay whatever. I have now addressed a lengthy official letter, to the new Secretary of State, which contains all the informations, or remarks, which I thought could be useful, or gratifying to yourself, as well as to your constitutional advisers. May I venture General, to refer you to that communication, for the information (should it prove to be so) that it may contain. I would give it in copy, had I time before Post, but fear I may miss the Columbia, If I delay a day longer.

I have reported myself up to the present time, and informed the Department of my intended movements, that I have been disappointed in my certain expectations, of obtaining money from the Bank of the United States, on my bill, against your Loan commissioners and in consequence of said disappointment, I have solicited the Secretary of State, to ask of you, to place the sum of four thousand dollars, out of the Government note fund at my disposal, for the necessary expenses. These matters, and some other topics, are all treated at length, in said communications, to which I again respectfully crave your attention. I have addressed Judge Burnet a separate and private letter, in case the State Department, should be in new hands, who might be without any knowledge of the antecedents of the negotiations.

I trust my Dear G

you will not find my request unreasonable, as of course ameans are necessary to carry out your views. I congratulate you Sir, on the flattering prospects of an immediate recognition by France; on the favorable influence that measure will have on the British cabinet; and as regards the negotiations of your commissioners in Europe; and last, though not least; on the effect it will, may, must have, on the minds of the Statesmen of Mexico, who must of course see, the utter uselessness of delaying a friendly arrangement of difficulties before it is too late. I anticipate general success in my mission, and for you Sir, before you leave the chair, that your country be be recognized by France, England, and also by the mother country. Your country will then stand on a pre-eminence proud an enviable.

Pardon the haste with which I am compelled to address you General, and believe me Very respectfully and most cordially

Your obt Servt

Gen M. B. Lamar. James Treat

(Private & Confidential,

New York, Septem 18th 1839.

My Dear Sir:

I have the honor and the satisfaction to lay before you, my own translations of two papers, which I have recently received, and which, I think you will consider favrable to the accomplishment of some of the objects embraced in my mission.

No 1. is an exact and full translation of a brief note, from our private friends in Mexico, to my friend and co-operator there, at New Orleans, and will speak for itself.

No 2. Is a translation of the remarks of my friends in New Orleans, who encloses it, and who, like myself, thinks the change decidedly favorable. My friend would embark from New Orleans, about 15th inst for Tampico, not a single vessel having sailed from New Orleans for Vera Cruz or Tampico, since my departure from that city on the 13th ult, hence this delay. He will be in the City of Mexico, about the 1st to the 5th Oct. If I have time, as I intend to do, by the 25th inst, I shall not be more than 10 days behind him. I feel confident, that he will not require much time, before I shall be able to ascertain whether there disposition, to enter upon some reasonable and amicable arrangement is real or apparent.

I beg leave to refer you to my previous private respects, and hereafter I shall have more frequent occasions to address you, when those my advices will possess more interest.— I also take leave to refer you to my several communications to the Hon the Secretary of State, since my departure from Galveston, to wit from New Orleans under date 13th August 1839.— from New York 30th Septem, from do. 10th & 11th do, from do— 18th do.

These will apprise you of my movements and doings to the present time, and that I soon expect to reach the important field, which you Sir, have been pleased to assign me, and which, I shall approach with confidence, altho not without great precaution and circumspection.

Hoping your health is perfectly restored, and wishing you much happiness individually and publicly.

I Remain Sir, with great respect, and very cordially

Your most Obedient Servant—

Gen. Mo B Lamar

James Treat

No 1. (Translation)

My Dear Sir. Mexico, August 2nd 1839.

I have been duly advised of the plan that has been finally adopted, and that you will very soon be here with further particulars.— Would to heaven it were this very day, as since the Government is changed, (meaning) the return of Bustamente, and change of Cabinet), and Mr Cañedo, has assumed the duties of Secretary of foreign relations, I have prepared things in such a manner, that the matter might be concluded in four days. Let all continue to be kept secret, so as not to excite any private interests, or produce any sensation; but, let the thing be made public, only at the moment of its realization.

I await to see you, with great anxiety; and remain very truly &c.

" — " — "

(Translation)

Extract. No 2. " — " September 2nd 1839.

My Dear Sir:

I send you herewith, the original of the last note from my friend " — " in Mexico. Its tenor is such, that, did we not know the Mexicans to be somewhat variable, we should consider as absolutely certain, our success, I wish what our friend says, might be accomplished, even in four weeks, with which I should be quite satisfied.

You have seen the names of Bustamante's new Cabinet; but, in case you have not, I will give them.

Juan de Dios Cañedo, Secretary of State for foreign affairs. Luis Gonzales Cuevas, do. do for the Interior. Lucas de Echeveria do. do Treasury. The War Department not yet filled — since filled by Gen. J N. Almonte. — I know them all very well. They are moderate as party men, very talented, and further, are men of great probity of character; quite a rare occurrence in that country.

I consider this change favorable to our object, because these men are all highly intelligent, and of great integrity, hence it will be easier to convince them, of the true positions of the Texas question, and also, because it will not be necessary to use so large an amount in gratifications and Douceurs, therefore the Treasury will be benefitted, to a greater extent.— We shall soon be on the field, and then better judge of this whole matter.

To (signed) " — " — " — "

" — " — " — "

Sir: City of Mexico, Decemr 12th 18:

I beg leave to refer you to my several letters dated at Vera Cruz, as far as yesterday, and there inclosures, and also to my advices to the Secretary of State of Original and duplicates, which will detail all, up to my departure from Vera Cruz.— I have now the pleasure to inform you, that I arrived here last evening (at 5 P.M. and altho I have not been out of the house to day (being the night least day, nothing could be done) I avail of this evenings post, in the hope its being in time to go by the United States Sloop (Erie) to day, that so far, I have been able to ascertain the state of things here, they are as I anticipated from Vera Cruz, favorable.— That is, no door is closed against me, and I have the field open as it were. A conference this evening with my Mexican friend (this evening) could not be to day, on account of the celebration of our Lady of Guadaloupe, will give me further information, and point out the course I is pursue, and which you shall know by next post.

As you will read

Private

City of Mexico Decem.r 31st 18,
Thursday P.M.

My Dear Sir,

Since my last respects of inclosed, to which I beg reference, we have a continued holiday (which Islands I have already mentioned as a week Lent-time for all public matters) as no current business of any kind is transacted, and many of the public men, leave the City for the country. It is now almost over (thanks fortune) and on Thursday next, 2.nd January, every thing will resume its usual course, and progress be made on the part of congress. Neither myself nor my friends, have been idle, during this interval of public business, and I am happy to say, have made some progress in my affairs. I have in my former communications given you sufficient evidence of this unfulfilled job, I have in hand, and I will say no more on this point, lest you should think the difficulties insurmountable, and hence infer that I can bring nothing about. It will be time enough to go into further details, when I have the pleasure of taking you by the hand. My last advices left congress sessions, which continued for 3 or 4 days. The Secretary of war, informing the Chairs, and desires of the Executive as regards the present, and ways and means involved in the project sent down to the chambers; and of course afterwards the report of the committee which respected said project. In respect all which, the Hon.r Secretary made use of arguments based upon the same representations, and which, he watched for as facts, which I cannot now repeat, but which, if known would excite a feeling of disgust, and surprise, very difficult for me to describe. On the other hand, the committee and others to be united with them and against the Secretary insisted upon it, that this was not the time to attempt to raise ways and means, to undertake a war campaign against Texas. That the wants of Government for other purposes greatly exceeded its means; and that the true question was, whether this was not rather the time, for some amicable arrangement — based upon negotiations which would reform more to the interests of Mexico, than to oppose the further means to commence what would probably never be carried to conclusion. Here you see was a direct issue of opinions, brought about purposely by my enemies. Enough was of course said, to show that evil times were now, or might soon be, pending on the part of Texas, sometime for a friendly arrangement, honorable and advantageous to Mexico. The question however before the house, was on the reception of the report of the committee, which was decided in the negative, so the report was returned to the committee for revision. Now committee will adopt one of two courses. First — Let the subject die on their hands, and make no further report (as is commonly here) and in that case a resolution will be offered from some other quarter, authorizing the Government to negotiate such an arrangement of peace and recognition with Texas, as in its opinion, is consonant to the honor and interests of the country (or something tantamount, but in their own ambiguous style) or 2.nd. The said committee, if it decide in an amended report, take this resolution (or something equivalent) to it, and in either case, the house of the chambers will be known. We hope for a majority on this question whichever it does come up, but as we are gaining ground every day we do not like to accelerate the vote too much. The feel almost sure in the Senate now; and if we can get the authorization from the House, there is little doubt but the Government will embrace the negotiations thus opened by Congress, and the responsibility of making them, will rest the Executive. This course was deemed not only necessary, but decidedly the best, as it was well known that the Executive and Cabinet, would never accede originally to this question. But if secured privately and in the initiative of being taken by congress, the Executive will accede. Another argument in this course is, that encouraged in this way, there is no publication necessary on the part of congress, of the doings of the Executive

[illegible]

[illegible]

[illegible]

This goes to Vera Cruz in the hopes that it will be in time for a vessel for New Orleans, of which I was only advised by last post. If I does, it will accompany my last despatch, and you will receive them together. If not, I would go for Eng. by Packet via Havana, and thence to New Orleans. I have letters from Mr Erving at New York, with a copy of his letter to me from London 5th Oct. original not received. Please thank him from them, of with you, as I have not time nor health to write him now. I have duly noted the important (in a certainment) contents of his letter of 5th Oct from London, a copy of which, I think, you would like to have in the State Department.

This is a miserable windy climate, and my health suffers much. It is the coldest winter ever known here, two and daily expecting news from Matamoras, last accounts having left Canalizo in the vicinity of that place, making some movements which is here represented, and withdrawal from his post. We know nothing, but what the Government chooses to publish. It is the strangest place for news, I have ever seen. I heartily trust which party to wish success. If by defeating Canalizo, the Government here should be strengthened, then I say let Canalizo be defeated. For one of the things I most apprehend, and dread, as much to be feared as any other single one whatever is, the weakness of Government, which will make them appear, when it comes to the push, afraid to do what their own convictions of duty is the best, the only policy. Mexico can adopt with safety, or advantage. — If I have only to convince a majority of both Houses of Congress — a majority of the Cabinet and President, and more than half of the sensible men, who decides the above are in office, whose approval would be worth something of the policy, advantages, and the necessity of an amicable arrangement, how I would pay to God, I will accomplish your wishes, only give me a little time. I should honestly believe I could speed my regalo. But when all this is done, then comes the fear, doubt, and apprehension of consequences. whether it will finally succeed, whether the Cabinet will be broken up, and loose their places, and whether a revolution might not be the consequence &c &c. I know the necessity of dividing with the responsibility — Beginning with Congress, and following the Executive and Cabinet in the easy position to act, while the people, and even Congress itself, may be ignorant of what is really going on. It is only then we trust they will be able to get over the anticipated difficulties.

They are too weak, too imbecile, too much divided among themselves, and afraid of every other to act Straight-forwardly, boldly and openly; however clear they may be, that they are right in point of fact. — With these additional remarks, you can hardly fail to see how things stand now, and your own perspicacity, forms your own opinion of probable results, even on receipt of this, even all my former despatches. Hoping, still my Benefit, I have hopes of success.

Inasmuch as I cannot always have you dedicated, that my health and circumstances have not on this occasion permitted. The customs precautions I take, will almost insure the safe arrival of my despatches, and a loss of copies. Be pleased to look over the style of my communications, and look at the matter only. I shall this in the evening, and may regale to read — I credited I could have the satisfaction of a line from you Sir, or the Department but have nothing to acknowledge since my departure from Washington.

Hoping soon again, as I shall before attended to, remain Dear Sir and Obt. Servt. James Reilly Esq. I have heard I shall receive them, or some part of them, you will have seen that I can get them from no other source.

Inasmuch as I will great respect, Your Obt Servt &c &c

Gen Mo D Lamar

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Private

City of Mexico May 7th 1836

My Dear Sir

Although I have nothing new or interesting to communicate since my last advices a few days since, yet, I cannot forbear this day most to say a few words, hoping it will reach the United States Sloop Ontario, to sail 10th or 11th for Galveston or Pensacola, having just heard of her arrival at Vera Cruz, whence she apprehend the vessels are unusually short stay. All I can now say, in addition to my numerous late advices, which are of great length, is, that I am now preparing communications for the Secretary of State direct, made up since my appointment; as I anticipate the period is near at hand, when I can do this to advantage, as my other movements are, or soon will be completed.

The Government still adhere to their professed plan of prosecuting an expedition vigorously against Texas; but not with a view of ever carrying the new invasion into effect. Their real plan is, I am induced to believe, as follows: Obtain the means and authorization from Congress to raise an Army of 10.000 men, (they have only about 3000 now all told) to place them on or near the frontiers, ostensibly as they think, to greater advantage, there they expect that Congress will give them the double reward (political military) for this prosecution. This is the real object of Government, though it will only be avowed to some, while others, will be made to believe that the Government are earnest in their views of restoring Texas to the national union. They (the Ecclesiastics) are all those enlightened on the subject, and fully satisfied they never can reconquer Texas. But the Government they must make use of (and will be more so if Canales should gain the victory over the Government troops at Monterey or Matamoras as some anticipate) and adopt this mode of gaining strength; that is, expose the Texas expedition as their real object, when it is only the pretext, even the best, of not the only one, they can now adopt to produce the desired effect on the Ecclesiastics.

Congress were again in secret session yesterday, on the subject of Texas, but as it has rained all day, I have not yet heard the result. As soon as I make any final communication to the Secretary of State, I will transmit you a copy, and keep you regularly advised of whatever may succeed. I am also preparing an exposition, which if I gain a Conference, or succeed in opening a communication with the Government, I may present in preference to sending a verbal exposition of this matter, you shall also have a copy in due time.

The position of the Government, and of parties, and of the frontier, is embarrassing, and render it truly difficult for the Government to act, without exposure to the attacks of the opposition and of the public. They may be forced on a position where they cannot act at all, without exposing their forces in effect, and as love of office here is rewarded stronger than love of country, they may not be willing to act at all. Still I cannot think they will refuse me an interview or a conference under all the circumstances of the case. I shall have this forwarded again on a very few days at furthest, when I trust I shall be able to report further progress, meantime excuse this unofficially hasty note, for the want of more time.

With great respect I remain your most Obt Servt

Genl. Mo B. Lamar

James Treat

Confidential

Mexico Jany 18th 1840

My Dear Sir:

I have the honor to hand you herewith duplicates of my last three communications of 30th and 31st December, and 7th instant, to which I crave reference, should the originals not reach you in safety.

These advices are not very important, but I transmit copies to keep up the chain of events; and I should not have been silent, since my last respects of the 7th inst, but for indisposition (which however has been but temporary) want of any thing decisive to advise you; and also want of opportunity to transmit any advices from the coast. Even this despatch goes to Vera Cruz (and I think I will forward duplicates Via Tampico) without knowing of any vessel bound either to New Orleans or Havana; it must therefore take its chance through the medium of my active correspondents. As regards the action of Congress in relation to Texan affairs since my last details, It will be sufficient to remark briefly, and without occupying too much space — 1st in relation to the project of Government, asking for ways and means, and extra powers, politico militaires, it has been under discussion and still is; but in its original shape, or with a few unimportant amendments, it is of but little importance to the Government, or to my interests, except as regards the powers; for the ways and means, although granted as reported by the committee, is as it were a nullity, as it proposes a capitation tax, difficult to carry into execution, and if executed, very slow in its operation. And 2nd as regards the powers in question, there is now no objection to their being given to facilitate my action with the Government, when the time arrives for opening direct communication, as suggested in my last despatches. Hence the project may become a law, as it ceases to be a matter of so much moment, as to induce any formal opposition; even were it likely the bill would be checked, which is not probable, as you will see in the course of this letter.

In relation to my movements and those of my friends, I have already intimated, what would be promised ourselves, and which I deem reasonable enough, considering the state of things as they existed at that time. And although we have not entirely succeeded, as regards a majority, yet there is a very respectable minority in the house, and perhaps a majority of the Senate (or nearly so) who are opposed to the expenditure of more money in the project of invading Texas, and who, would and will do all they can with the Government (when the time arrives for them to act) in an amicable arrangement of this question. — This advantage therefore has resulted, not only in and among the members of Congress, but among many influential and intelligent men in and out of office; and of both parties too: They have listened to the subject — examined it in its various bearings — reflected upon it in reference to its effects upon the interests of the country; and they have almost universally come to the conclusion that a compromise of this question must sooner or later be made; and many think that now is the propitious moment when it might; and in fact ought to be accomplished.

The effects of thus moving and disposing the question in the way I have described (a matter of course are quite unnoticed while the Government are pressing the topics on the attention of Congress) has further extended to the conductors of the press, many of whom, have omitted opinions, not on the direct question; but significant and indicative that the Government should reflect well on the subject, before subjecting the nation to the unfortunate results of another fruitless expedition against Texas. — These and similar demonstrations of the current of public opinion are not without manifest advantage, for they are calculated, and were intended to produce an impression on the Government itself at a proper time, and in a [illegible]

should ensue (initiated by either party) the war would be decidedly unpopular with the intelligent people here, and therefore inefficient and abortive in its results on the part of Mexico.

Since adverted to, and I think, sent you another initiative, declaring it treason to speak or write in favor of the dismemberment of the Mexican territory and the views of the Texans &c. directed against Texas, but also intended to meet and prevent the agitation of Anna's or Canales' plan of forming a plan of forming a Northern Confederacy.— If this law passes, now under discussion in the House, the acts of this Government will no longer be criticized so severely by the public and the press; and they can carry out their plans without the manifestation of so much opposition. It is thought that this law will pass the house; but in the Senate its fate is more doubtful, tho even there it may find a majority. Reynaud apparently not satisfied with this Texas gag law, the official organ has for several days been writing at length, on the subject of the liberty of the press, or rather its abuses, and has announced, the intention of Government to ask congress to abridge the present too great liberty of the press, proposing certain restrictions, which they say, will conciliate the two extremes of liberty and licentiousness. The initiation has not been sent in to congress, but is in course of preparation by Government. Almost every paper (and I am told by a member of congress, that every one, except the officials, which is salaried of course) is opposed to the present administration, on some of the leading topics which agitate the country, or on general principles. No wonder then, that the Government desire exemption from the criticisms of so many enfiled, that they may adopt and carry out their measures more quickly, secretly and with less exposure.— All this additional power and exemption from public scrutiny, however ill it may agree for the rights and liberties of the people, may come in play in favor of the rival Texas, whenever Texas brings the question home to the deliberations and action of the Government. I do not say that this is the object of these measures (I think it was) but only intimate that under some circumstances, they would prove favorable to my plans and objects.

I will here remark that during the holidays of the new year, there was much talk about a political movement in this City, or which is usually called a pronunciamento in favor of federation, which I have no doubt gave the Government some uneasiness. whether this was to depend upon the expected success of Canales, or upon some movements on the part of Santa Anna, I know not; but it is now deferred probably until some more favorable moment. It was about the same time currently reported and believed, that some movement was also contemplated, intended to bring forward Santa Anna again, and place him at the head of affairs. He was suddenly taken ill and his physicians advised him to change his climate for that of Nacubaya, and he was more than once reported on his way up to the city. He has since asked for his passports for Columbia, which have been promptly granted by the Government &c. but this is merely one of his Ruse de Guerre to feel of public pulse, as it is believed he has no idea of leaving the country at all. This also served as an annoyance to the Government, and perhaps further induced them to adopt the measures already referred to, in order to secure themselves in their posts. They are now apparently relieved from these immediate apprehensions, and emboldened probably by the defeat (as they call it) of Canales, or his non success at the outset, and having (as I apprehended

recently been successful in gaining over to the support of Government and its measures, some doubtful members of Congress they appear disposed to curtail the liberty of the press, and abridge the rights and privileges of the people, the better to resist any changes that may hereafter be attempted as above intimated.

As regards Canales, the Government have received and published official advices of his defeat, which is stated by be general. There has been doubtless a little skirmishing and some loss, and Canales, has retreated; but was not pursued. The truths of this affair remains to be told; but there is no doubt that the Government forces destined to meet him are superior in numbers, and amply sufficient to keep him in check, probably for some time to come.

Another topic has recently been started here which may and doubtless will have some bearing (perhaps an important one) on the Texan question, which I will just refer to, that you may have a full view of the general state of things, as my object is, to throw all the lights I can, on my own future prospects; yet I regret to say in doubt. The President in his message to Congress, expresses surprize at the acknowledgement of your independence on the part of France; and it has excited considerable conversation. It is now thought that this Government will avail of this act of the French Government as a pretext for not carrying out the pending stipulations of their late Treaty; and that new difficulties may possibly ensue between the two powers. A call has already been made in the Senate for the production of the French Treaty, which has not yet been presented to congress, nor has it been published. The opposition press in France, oppose the Treaty of recognition of Texas, on the grounds that it will give offence to Mexico, and place in jeopardy the French commercial interests here, which they say are vastly more important than those acquired from Texas by recognition. This Government is thus furnished with arguments to suit their purposes, if they are unwise enough to carry forward the plan, as they now seem at least inclined to do.

The new French Minister is expected daily, and has been for some time. The call for the French Treaty in the Senate will also bring out the Texas question in that body; and will be availed of incidentally for that purpose by those in favor of that of an arrangement with Texas.

As regards the fact (which I informed you I had under investigation) whether there was any, and if any what conditions, giving to the Bondholders any lien or hypothecation of land in Texas, or the proceeds of any sale, or cession. I have to observe, that the result of my information is not completed. The facts ascertained are these; Congress authorized the Government (Executive) to close the arrangement as they might think proper. Government sent forward the instructions to their Minister and the Synodics, or what is the same thing, ratified the propositions which were before the Government for its consideration, and sent it forward the last of July or 1st August. No publicity was here given to the conditions of the arrangement, and hence the difficulty of ascertaining under what stipulations the matter was finally closed. I have however further ascertained from a good source, that this Government reserved itself on the question at issue, at the time they acted on the subject as above. Whether they have since ceded the question or reserved it, or refused it, or whether without waiting for any decision on this head, the Bondholders closed under the remaining stipulations, remains to be ascertained. But I am advised that the arrangement was concluded in London between the parties, some time in September, and the fact published on change on the first October. The English Packet now due, and which will bring us London dates to 15th Nov. will bring the whole arrangement, which they would publish forthwith, and I shall then know precisely how the matter stands, as I consider it important, as may have some bearing as regards my interview with Mr Palmerston.

Webster Ellis, &c &c

I am on friendly and visiting terms; but not a word has passed between us on the subject of my visit here. I am quite satisfied that he will not open the topic; and as I am also convinced no no good would result from my broaching the matter to him?, I have been, and probably shall continue to be entirely silent.

He undoubtedly knows my objects here, from letters transmitted him through me from General Dundas, one of which made known my character; but I infer that his own position?, or the interests of his Government, as regards the pending convention? of indemnity, prevents him from acting in any way, perhaps it is quite as well so, as otherwise, since no good would probably come from a different course, had it been adopted.

I have stood aloof from Mr Pakenham since my last, for the reasons already given you in my former communications; and also in the hope of receiving some advices, and perhaps intimations from you touching the matter; and further with the expectation of knowing whether this Government has yet accepted the mediation of England.

My passport for the Secretary of State, as mentioned in my last, are now prepared for signing, and I only await the issue of some pending matters (which I consider may have an important bearing on the reception of my preliminary communications) to present them. This will occur probably in a week or ten days, at farthest (and perhaps sooner) when I will again write.

I have thus given you my Dear Sir, a general synopsis of the state of things, which now exist here, as near as I can ascertain them?, all which (although it may not be apparent at first view) have had and still have, an important bearing on my objects; and effect the measures which I should adopt, to secure all the possible chances of ulterior success.

The obstacles have been, and still are, as you will readily infer, numerous, and have delayed my direct application, that they might be overcome, or neutralized either by time, and circumstances, or by my own measures and efforts, and those of my friends here. In adopting this course, I have considered it my best policy, not to hazard the result, by an immediate movement, when the result would have been probably unfavorable, and the door might have been closed against my final application; but have deemed it more prudent and advantageous to the interest of Texas, to prolong (short-) for a time at least, the uncertainty of my mission?, while I could not lose any thing by the delay, but might greatly increase the probabilities of success.

Another consideration of considerable magnitude has not been without its due weight viz: expected communications from the (your) Government, which I have been anxiously looking for during several weeks past. For, considering the return to the seat of Government, of General Hamilton and General Henderson; and also, since (I suppose) of Mr Burnley; the opening of your Congress (and ere this the close probably of the session) the precise knowledge on the part of the Executive, of the exact position of things in Europe, as regards Texas; and the prospects of effecting the loan; all which will appear by the ample reports of your agents... I say, considering all these circumstances, I have thought myself justified in expecting from Government-advices, communicating a change of its views, if any had taken place, or confirming its wishes and instructions as given me, as long since as August last; and more especially since General Hamilton's advices as communicated to me from New Orleans (and before adverted to) recommend a course not contemplated by Government when I received its commands, and therefore not provided for in my instructions viz: to secure by all means the mediation of Great Britain even without any definite stipulations;

and negotiate the arrangement in London. It cannot be doubted, that Genl Hamilton, had what he deemed good and sufficient reasons for this urgent request or recommendation, and would place his views before this Government.

I have therefore considered that beyond all question I should be advised and instructed in relation to this branch of my duty. It is now 60 days since Gen H. left New Orleans, and 30 days since he expected to be in New Orleans on his way north; and our latest dates now from New Orleans direct, are 60 days old - so that it seems to me, at least, impossible that I should not have despatches from you on the way, and they must be near at hand. These I have been, and still continue to be, very anxious to receive, as they may and almost necessarily must throw some light on the subject by the future views of Government; or by a confirmation of their former wishes and instructions.

Again, advices from Government would so far apprise me of the condition of things, that I should at least know whether the position of the country, or the policy of Government was such that I should best consult its wishes and interests by protracting a final issue, while the question could be kept open, or by accelerating a decision at once. This would and might depend on the present condition of things at home and abroad, and the ulterior policy of Government, which may have undergone some change. I cannot anticipate these events which are possible, as I am without any advices from the Department of State, since the postscript to my instructions received in New York, and my private letters, are only to 8th Nov. from Texas, and 18th or 20th same month from New Orleans. I however recollect how strongly Gen H. advised and urged that I should hold on, and not abandon my post, so long as I could retain it. Hence another cause of doubt and perplexity, which in conjunction with various others, have had a tendency to delay direct action.

You here have Sir, all the data I can now furnish you, and from it you will be able to form your own opinion of the probable result. These details, or rather the running up of my present position, is now given, as much to rectify any opinions or impressions I may have given you in my previous advices, calculated to produce erroneous conclusions on your part, as to place every thing in its true light for your information and Government. My object has always been, and is now, to give you the information I acquire, and my views and movements, with due regard to the facts, as I can best ascertain them, and their legitimate inferences; but with all my precautions, discrepancies will occur; and more particularly in this country, and as delicate a topic, where every thing almost, comes through other channels, and is always to be weighed and sifted very scrupulously. - Hence errors of opinion must inevitably occur. It has not been my object in this letter, to justify the course I have pursued thus far; but should it be thought that I have delayed too long my direct intercourse with the Government, the facts and statements contained in this letter may serve, if not for my justification, at least, to induce a suspension of such opinions, until I can clear up this point more fully (and which I trust I can do satisfactorily) but only in personal interview.

I shall continue my frequent advices, and if they are retarded for want of communication with New Orleans or Havana, as heretofore, I shall much regret it, although the remedy is not within my reach.

Pardon the extreme length of this despatch (quite too long and tedious I fear) and attribute it to my extreme anxiety to keep you fully, and even minutely advised of every thing of moment which occurs here. - I regret very much the absence of advices from Govm and hope soon to receive them.

I beg you will excuse any mistakes &

in the matter of this letter; and also its execution. It has been written while indisposed, and at intervals, and has been very hastily copied also at intervals and during the evening. I therefore beg your indulgence. I have to make my own copies and duplicates myself, and writing is very painful to me, on account of my Chest, which is weak and very much effected by this very singular Climate. Hoping that this will find you my Dear General in perfect health, and the Country in a quiet and flourishing condition. I am with the greatest respect and the highest Consideration Your Obt & humble Servant

James Prout

To Gen Mc B. Samar

P.S. Jan 20th The duplicates referred at the commencement of this letter, will not go under same envelope as this communication, but separately. Both however will take the same chance for conveyance, either via New Orleans or Havana, and will both reach you at same time, and I hope soon. I wish to add one or two brief items, but this letter and my time is short, so I will omit any additional remarks here, and promise myself the pleasure of again addressing you within a very few days — Meantime pardon haste, and believe me very respectfully

Your Obt Servt

Gen M B. Samar

James Prout

Confidential

Mexico Jany 22nd 1828

My Dear Sir.

Last had this pleasure under date of the 18th inst, with postscript of the 20th to which I beg reference, I thought you will find it long and tedious. I sent it to Vera Cruz, and presume this will find it there, and thus both will go forward together per Sloop of War Erie, for Baliye or Pensacola. I will first add a few remarks which may be of interest in connexion with my last, which had for its object to shew you how I was then situated, or rather how many obstacles I had to remove or overcome. It is stated (and I have been so informed specially by a friend) that the Spanish Minister possesses great influence with this Government, and that I cannot succeed without his concurrence, or cooperation. This gentleman is Señor Calderon De la Barca, was recently the representative of Spain, in the United States, and arrived here about a month since from the Havana via New York, and was received with unusual honors. This great influence may be true in some degree, probably not to the extent above stated. Genl Santa Anna, also may stand in the way of a recognition, as he may should he hear, that the Government are in treaty on this subject, cause something to appear in some of his devoted prints which may frighten the President and his Cabinet, now easily alarmed at any thing from this quarter. This difficulty might perhaps overcome, if entire confidence could be placed in his friend here, who is General Tornel; but he is looked upon by the Government with as much jealousy as his master. Tornel has called on me and tendered his services very especially, but I have not returned his call, as the Secretary of State or Alamán, would if they knew it, draw such inferences, as would operate against my negotiations. I may see him very privately hereafter, and if needful I will do so.

Since my last, I have been informed from a good source, that as soon as the French Minister arrives, the present Chargé d'affaires, Mr De Lisle, will leave in a Brig of War, now under his orders at Vera Cruz, and which was sent by the Commodore of the Havana Station, and he is directed to call on and see you, and will therefore proceed hence; that is from Vera Cruz, direct for Galveston. When Mr De Lisle will leave, will depend on the arrival of his successor. I will write by him of course, and send a file of papers. Please consider this as confidential

I have now made all my preliminary movements, and taken all the precautions deemed necessary, and tomorrow I anticipate that I shall be informed by the Secretary of State that I can address him my preliminary communication, announcing my arrival and my character, and soliciting an audience. So that I feel as if I was on the point of gaining the first step; which at one moment I even thought doubtful. I may have to go through the introduction, perhaps intervention of Mr Pakenham; which of course I will accede to, if it comes in that shape, though had I my choice, I would go alone. I think now I am certain to get the ear of Cañedo Secretary of State; and if so, I am satisfied, that while I must be very circumspect officially, I can say anything I wish to him as Cañedo; for although I have not yet seen him, I am sure that I shall find him very friendly, courteous and frank, personally with me. I wish I could say as much in regard to Señor Alamonte. I fear he will be against me. — But rest assured my dear Sir, when I once get started, I will make the most of my position.

I remain Sir, with great respect and the highest consideration

Your Ob't

James Treat

Gen. Mo B. Lamar

Despatch No 7.

Legation of Texas
Washington Oct 13th 1841.

Sir:

Herewith, I have the honor to subjoin Copies of memorandum of conversations held at interviews with the Secretary of State of the United States relative to the formation of a Treaty — Copy of Synopsis submitted to Mr Webster Secretary of State of the United States 15th September 1841. of a contemplated Treaty — Copy of communication from the Acting Secretary of State of the United States of the 7th inst, submitting other communications from the Secretary of War of the United States upon Indian affairs, and of my answer thereto, also Copies of letters to and from Mr Brower Consul for Texas at New York, relative to Mexican Vessels of War building there.

It is natural that Correspondence between the United States Chargé in Texas, and the Government there, on the subject of Indian aggressions should have taken place, and as I write some time since, it is important to the legation to be in possession of a copy, as it would afford useful information.

It seems that on the spot, the facts of the alledged depredations by United States Indians, can be more readily proved to the satisfaction of the American Chargé there, than I have it in my power to do to that of the Government here, now that the United States has treated the statements so repeatedly offered on the subject by this legation as incorrect.

I have protested against the view of the question thus taken, and would humbly ask whether this course to be pursued now, is not to exhibit

proof to the United States Chargé d'Affaires & Instructions to him on the subject of passed and present Indian encroachments, in order that the appeal to the Government for indemnity or interference may be successful.

I have to acknowledge receipt of your communication of yesterday in regard to the Treaty with the United States, the negroes of Mr Peterson &c &c. to which due attention will be paid on resuming the negotiations of the Treaty, and in pressing constantly upon the attention of the Government of the United States the subject of this and other claims.

I have the honor to be respectfully
Your Obt Servt
Nathaniel Amory.

Hon
Saml A. Roberts
&c &c

Memorandum entered this 15th September 1841.
Legation of Texas.

The Chargé d'affaires of this Legation having repeatedly since the date of the last official letter to the Secretary of State of the United States called his attention to conversations held and an visits made expressly for the object to the early arrangement of a Treaty between the two countries had an interview with Mr Webster on the 12th inst, when he proposed to postpone the subject until his return from an intended visit to the north.

The Chargé d'affaires of Texas urged the desire of his Government to bring this Treaty to a close at the earliest day possible, and requested the Secretary of State of the United States to take up the subject at once. no satisfactory promise having been given the following synopsis was presented by this Legation to Mr Webster on the 15th September 1841. and the anxiety of the Government of Texas to conclude the Treaty reiterated on all proper terms.

Upon the presentation of these points for a Treaty, the Chargé d'affaires of Texas was assured that the subject should receive the earliest convenient attention from the Department of State of the United States, and there the matter necessarily rests for the present.

Some of the points for a Treaty between Texas and the United States.

Article 1: On Commerce and navigation. To be nearly the same as that in the Treaty between Texas and Great Britain, or as the 2nd Article of the convention between Texas and the Netherlands.

2nd Arte: As regards what shall be considered Texas vessels to be like the 4th Article of the Treaty between Texas and the Netherlands.

3rd Tonage duties the same on vessels of both countries as in the second Article of the Treaty with Great Britain. Insert provisions for calling upon Justices of the Peace, Judges and Courts for warrants and other process to apprehend deserters from the Commercial and Naval Service.

4th The flag to protect the Ships and goods, and no right of search to be permitted under penalty of damages to be restored by the Government of the officer or officers offending.

Article 5th Provide for right and obligation of convoy in case of mutual War with a third power, as provided for in the 20th article of the Treaty with the Netherlands, the free navigation by each party of the bordering or contiguous rivers and above and below the boundaries.

Article 7. The right of each party to land the products of its soil with

the territory of the other free all all duty, when the same is intended to be and is actually shipped to any other country.
Artic: 8.th To provide for the Indian relations as in the 23.rd article of the Treaty between the United States and Mexico, and for removal of Indians from Texas.
Art: 9. Provisions for Consular rights.
Art: 10. The right of succession and inheritance to the estates of deceased citizens dying ab intestato to be preserved as in the country of which they were subjects, tho' temporarily domiciled abroad.
Art: 11 The Treaty to continue for ten years

15.th Septem.r 1841.

Legation of Texas
20.th Sept.r 1841.

Memorandum.

This day the Chief clerk of the State Department of the United States, called to inform the Chargé of this Legation that the synopsis which was left by him on the 15.th inst: for the bases of a Treaty between the two countries had been examined by the Secretary of State; but that inasmuch as for the present, the duties of other Departments of the Government had temporarily devolved upon him, he had been unable to attend to it.

The Chief clerk also informed the Chargé of Texas, that a letter had been received from the War Department on the subject of Indian affairs as brought to the attention of Government here by this Legation, and that an answer would be addressed to the Chargé d'affaires on that subject in the course of the week.

The Chief clerk of the State Department further stated, that in relation to the intended Treaty, the Secretary of State would not be able to adjust it, until after his return from the North, so that nothing in all probability can be done before December.

Department of State
Washington 7.th Octr 1841.

Sir:

With reference to alledged depredations and hostile incursions in Texas by Indians from the United States, which formed a subject of the note of Mr Amory, Secretary of Legation of Texas to this Department of the 19.th of May last, I have the honor to communicate a copy of two letters to this Department from the Department of War, one dated the 11.th Ult, and the other the first inst, the part of Mr Amory's note referred to having been referred to that Department

I have the honor to be Sir,
Your Obt Servt

(Signed) Fletcher Webster
Actg Secy

Department of War
Septr 11.th 1841.

Sir:

I transmit you an abstract of the correspondence and documents on file in this Department, on the subject of alledged intrusions into Texas by Indians residing within the limits of the United States, from which you will be advised of the precautions that have from time to time adopted for the preservation of tranquility on the adjoining frontiers of the two Countries.

511

I shall be prepared, both on every account, the necessary
arrangements have been promptly taken by this Department to prevent any unfriendly
encroachment on the Texas, or any indemnification of the peaceful relations between
the two countries by persons residing either temporarily or permanently within
the limits of the United States.

Very respectfully
Your Obt. Servt

(Signed) John Fell

Hon.
Jno. C. Calhoun
Secy of State.

March 1837.

Texas Consul Mejor Whitesett and Genl. Memucan Hunt, accompanied the
acceptance of a Convention by troops of the United States, or of them after
proof used of Indian attack, in order to prevent a recurrence of acts of
Hostility and rapine as well as to punish those already committed.
March 31st Answered.

Evidence was required by United States Govt. how
was attacked, examined, and the truth thereof established to
how the Indians on that, those troops accidentally at the Passe Cavallo would
be. General Arbuckle instructed to meet a force to form treaties with
the confederated tribes of the United States meant to attack the aggressive
Comanches of are represented to have taken place and to use necessary
vigilance to prevent any hostile movements.
April 11th.

Secretary of State refers communication and accompanying
documents from Secretary of Legation of Texas complaining of murders
and depredations committed by Caddoe and Biehaser Indians upon
inhabitants of upper settlements of Texas, and suggesting expediency
of again advancing troops of the United States to Nacogdoches or some
other contiguous point.
14th Answer:

Stating as in answer of March 28th the measures taken to
prevent hostilities and depredations, and that every exertion will be made
to increase our military force along Texas frontier, when there are better
positions, than Nacogdoches, to place a force to compel the Indians to
maintain peace, if force should be necessary.

Among the papers accompanying the above
letter of the Secretary of State of April 11th was a copy of one from the
Secretary of State of Texas to the Legation here on the subject of the
murders and depredations of Caddoe and Biehaser Indians complained
of. From this it appears that they were not committed by Indians
residing within the boundaries of the United States, but by those who had
emigrated from the limits of the United States to that region and taken
possession of the ground they now occupy without the consent of Mexico or
Texas".

When the instructions reached General Arbuckle he was about leaving
that section of country for the benefit of his health, and he therefore transferred
them with additional instructions to Col. Many who was in command
at Fort Jesup.
July 27th

Col. Many, after having sent an officer to make inquiries,
reported that all the robberies and murders committed by Indians, had been
far in the interior of Texas, and by small straggling bands, none of whom ever

belonged to the United States, except the Caddoes, and that he did not know why they had been regarded as United States Indians as the principal Villages have been always supposed to be within the limits of Texas."

The Caddoes denied having committed any depredations on the whites and appear to be very anxious to be on friendly terms with them.

The officer sent by Col Many reported that there were but two well established cases against the Caddoes, one of robbery, and the other of murder for which they had provication in several of their tribe having been killed by the whites.

July 24 - 37.

Secretary of State transmits extract of letter from Minister of Texas complaining that "Certain Indians from the United States are still committing depredations upon the citizens of our Eastern frontier" and again urging the terms of existing treaties relative to the control of the Indian tribes in that quarter.

July 21st Answer by Secretary of War.

That the complaint was too general to be enquired into, and that if the Minister would specify the time and place, and the tribe engaged in committing the depredations, measures would be promptly taken to suppress them.

May 4 "38

The Secretary of War, having received an unofficial letter, that an understanding existed between Indians and Mexicans, that as soon as the army of the latter commenced its march upon Texas, the former were to join and co-operate with it in hostilities against Texas, he directed military officers and agents to enquire into the statement and ascertain, if correct, all the particulars and circumstances connected with it. The reports of Col. Many and Capt. Stuart of the army, who were active and vigilant in their enquiries, were that no such understanding existed, nor had the Indians any disposition to join Mexico against Texas.

Governor Stokes Cherokee agent reported to the same effect. The only apprehended difficulty referred to in the report of Major Armstrong about this period was an expected contest between some of the inhabitants of Texas and some of the Indians of that country just South of Red River, in which he expressed fears that some of the Indians within his superintendency would take part.

Augst 16. 38

Col Many encloses copy of letter from Genl Houston, dated Nacogdoches 11th representing that the Indians had combined with some Mexicans to attack and plunder that place, requesting Col M. to march a detachment of troops there, and call out militia for their aid, and to furnish them with arms &c.

Col. Many answered he had no authority to do either and reported to the Department that the Indians referred to had been residents of Texas longer than the citizens who feared their attacks.

Augst 18th "38

Col Many encloses copy of another letter from Gen. Houston from same place stating that Kickapoos, Caddoes and other Indians had joined the "rebel Mexicans" that they were within one days march of Nacogdoches, and menaced it with attacks, and that, by the Treaty between the United States and Mexico, the interposition of United States troops was required.

The Col despatched an officer to confer with Gen Houston and to obtain information. This officer returned and reported that there had been good grounds for fearing such an attack, but the danger was over.

He further reported that the only Indians implicated were those who had been residents of Texas many years; no United States Indians connected with it.

Nov. 30th "38.

Secretary of State encloses copy of note from Texan Minister

represents that a combination has been formed by Indians who have, at different times emigrated from various tribes within the United States, and by others, for the purpose of commencing general warfare against the citizens of Texas upon whom they have for some time past been committing depredations. Large numbers of Choctaws, Caddoes, Alabamas, Cherokees and others, have collected at a point upon the River Trinity, from which they are preparing to assail the settlements, this combination is believed to extend to a portion of the tribes on the borders of the United States, from whom, as soon as hostilities commenced, there will probably be large and powerful accessions.

Requests, that immediate measures may be taken by United States to interpose a force sufficient to prevent the threatened hostilities on the part of these (Mr. S) Indians, to inflict punishment for those already committed, to cause the removal of those who have intruded into Texas beyond its known limits and insure the peaceful and good behaviour towards its citizens in future.

The incursions and settlement of various warlike and hostile tribes from United States into Texas, have been forcible and unauthorized by the former or present Government of that country, and in contravention of the established amity of nations, as well as the Stipulations of 33d article of Treaty of April 5th 1831. between Mexico and United States now binding upon the latter and Texas, and he protests against such incursions and settlements "as well as for all reclamations which may arise for injuries that have been or shall be sustained by Texas in consequence thereof.

With this letter, Secretary of State encloses also copy of a note to the Mexican Minister from Department of State dated in October 1835 in order to advise this Department of its views respecting the obligation of the United States "to restrain or control the movements of Indians peaceably emigrating from within our borders into the neighbouring territories."

In this note the ground was taken that, unless Indians emigrating into Mexico, manifested a hostile intent, it was doubtful whether, under the 33rd article of the Treaty, the intervention of the United States could be claimed or afforded — that if they went there with peaceable intentions, it was for the Mexican Government alone, to decide upon their admission or exclusion".

On the receipt of this representation, instructions were given to the military officers and Indian agents to be vigilant, and endeavour to discover any intentions on the part of our Indians to commit depredations or hostilities within the limits of Texas, and to use every exertion to prevent the execution of any such intentions.

They were also instructed to Inform the Indians that if they were guilty of any such depredations or hostilities, or took part in any of the disturbances in Texas, their annuities would be immediately stopped, and severe measures adopted for their punishment.

In answer, Stokes the Cherokee Agent reported, that there was not the least foundation for any of these statements, so far as those Indians were concerned, that many years ago a party of Cherokees from the East declined settling on the lands allotted to them by the United States and removed to Texas where they remain; but they are not considered as belonging to the Cherokee nation, nor do they receive any part of the annuities issued to that tribe; "No respectable Cherokee joined them from this country for twenty four years" it is of opinion that the cause of the alarm of the people of Texas originated among their own Indians.

With respect to many of the tribes mentioned by the Texan Minister we complained ought to be made against the

United States, of the Kickapoos there has been a band settled in Texas for twenty years; the remainder live on Missouri River near Fort Leavenworth, and he does not believe they disturb any nation.

Of the remaining Indians mentioned by the Minister, the Caddoes live where they have resided for many years; a part and wild Indians of the Prairies, who are longer in Mexico than any where else, and the rest he never heard of. The reports of the other officers and agents concur in the opinion that there was no ground for believing that there was any combination among the Indians of the United States to invade Texas, or any intention or disposition to commit hostilities upon its citizens.

Major Armstrong reported, that the Cherokees had killed an Indian for bringing two Mexican Emissaries into the nation.

The Department of State was duly apprised of these results of the investigation directed by this Department, and copies of several of the more important reports of the Agents were furnished it.

(July 18th 39

Secretary of State encloses communications from Minister of Texas, with accompanying documents in evidence of the intention of Indians of the United States to go into Texas and commit depredations.

Among the documents were letters and circulars addressed by the Mexican authorities to certain Indian Chiefs inviting them to make to make war upon the Texans.

The Secretary of War answered, that he had carefully examined the communications and the documents, but found no evidence of a disposition on the part of our Indians to make war upon the citizens of Texas, that the letters and circulars were clearly not addressed to them, but to those without the limits of the United States.

He reminded Secretary of State of the orders which had heretofore been given, and the measures which had been taken by the War Department from time to time to prevent the commission of any hostile act towards the people of Texas by our Indians; he was fully satisfied that the orders had been vigilantly executed, but they should be renewed.

Feb 5th

Secretary of War enclosed to Secretary of State copies of circulars sent to officers and Agents, renewing former orders as promised above, and also copies of reports received in reply from which it appeared that there were no grounds for apprehension with respect to our Indians.

Mar 23

Secretary of State encloses copy of communication from Texas Minister, accompanied by one from an officer in the military service of Texas, reporting a conspiracy instigated by Cherokee Indians into that country.

April 2d Secretary of War acknowledges receipt and states that measures had been taken to ascertain the correctness of the representations, and to prevent the Cherokees from going into Texas in hostile array.

May 4th

General Arbuckle from Fort Gibson, and Major Willson from Fort Towson, reported that there was not the slightest ground for the representation and that instead of Cherokees going to Texas, many of them who had been residing there were returning in a wretched condition to the United States in consequence of them being driven from Texas without their property.

Feby 15th 40

Secretary of War enclosed copies of these reports to the Secretary of State for his information.

May 31 Secretary of State encloses communication from the Chargé d'

of Texas, representing that a Mr. Webb and his party were killed near Austin in September 1839. by Comanche Indians, by whom his wife was taken prisoner with her two children, that she attempted to escape soon after, but was recaptured by some Caddoe Indians who restored her to the Comanches. A second attempt was more successful; the reporters that there were with the Caddoes some Kickapoos, Shawnees, Cherokees, two Choctaws, and a considerable number of negro Slaves, men, women and children from the United States.

Mr Bee complained of the residence of the Cadoes in Texas, while they received an annuity from the United States, and of other Indians being permitted to emigrate them from their territories.

He also submitted affidavits in proof of depredations having been committed in the early part of 1839. upon property of citizens of Texas, by Cherokee Indians from the United States, and claimed indemnification for the citizens thus injured.

January 15th 40

Secretary of War wrote to Secretary of State in answer that by the stipulations of the treaty of 1835 with the Caddoe Indians they sold what land they possessed in the United States and agreed to remove from its limits and never return, that a part of the consideration granted them was $10.000 per year for five years, the four first payments of which had been made, that the fifth was withheld by request of the Indians who desired a tract of land to be purchased with it for their residence within the territories of the United States, and that efforts were being made to procure a tract from the Choctaws, but no report had yet been received from the agent (Armstrong?) who was instructed to ascertain the disposition of those Indians to accede to the arrangement.

In regard to the peaceful emigration of Indians from our territory into Texas, the same ground was taken as that expressed in the letter from the Department of State to the Mexican Minister in October 1835 already referred to.

With respect to the thefts said to have been committed by United States Cherokee Indians, the answer was that the proofs submitted by Mr Bee would be forwarded to the agent for those Indians to be made known to the tribe, and in order that the subject might be fully investigated; but that if it should appear that the Indians who committed them were of those belonging to the United States, there was nothing in the stipulations of the treaty with Mexico requiring the Executive, nor was there any authority under existing laws to compel the Indians to make restitution?

That treaty required only that the Indians shall be restrained from acts of hostility, or theft, and the delivering of captives taken?

All therefore that could be expected of this Department, was, that it should use all the persuasive means in its power to induce the Indians to make reparations to the individuals who had been injured.

The Department of State was notified that this course would be pursued and instructions were given in January and February to Armstrong and Fletcher accordingly, but in consequence of their absence from their posts for the greater part of the time subsequent, no report from either of them has yet been received.

May 9th 40. Secretary of State encloses extracts from a note from the Secretary of Legation of Texas, accompanied by copy of letter from Fredk. W Robertson of Washington County Texas, to the Secretary of State of that Government.

In these papers it is represented that on the 18th of Feby 1839

an attack was made upon Mr Robertsons plantation by a party of Indians who carried away a number of his negroes, and inflicted other injury upon him.

It is stated that these Indians were from the United States, and that two of the negroes are now in possession of two individuals residing at Fort Holmes on the Canadian River, within their territories, one of whom named Edwards, is a white man, with an Indian family, and the other Ishisholm, is a half breed.

Mr Robertson states that he went to where these persons resided, and recognized the negroes in their possessions, and on Mr Armory expressing the expectations that no time will be lost in causing them to be restored to their owner, and in bringing the Indians to punishment who were concerned in the transaction, and causing them to make restitution for other injuries done, besides the detaining of the negroes.

There is no evidence whatever submitted, that the Indians who committed the depredations were from the territory of the United States, and more to show, nor is it stated how many negroes were taken, and what other injury inflicted on Mr Robertson.

The distance by a practicable route, from the boundary line between the two countries to his plantation cannot be less than about 300 miles, and at the time the depredations were committed, the intermediate country was the residence of numerous Indians belonging to Texas, many of whom, bearing the same name with tribes within the territory of the United States, such as Cherokees, Shawnoes &c. others, might easily be confounded with them, and, as this statement shows, they frequently were.

It is stated by a Major Bean, who was in Texas at the time, that Texas and these Indians were engaged in hostilities, and it was about this period that the Cherokees were pursued by a Texan force, under command of General Rusk within the boundaries of Louisiana.

Under these circumstances it is most probable that the depredations upon Mr Robertsons plantation were the act of the Texas Indians with whom that Government was engaged in hostilities, and not of Indians of the United States.

The 33rd article of the Treaty with Mexico, to which Mr Armory refers, only requires that hostilities by the Indians of the one country, against the citizens and Indians of the other, shall be prevented, and that captives taken by the Indians by either shall be delivered up.

There is no authority under this Treaty, or under any existing laws of the United States to compel the Indians to deliver up any property, other than the negroes, taken from Mr Robertson? (should it be found that those committed the depredations belonged to the United States) or to make remuneration for it. The Department could only make use of persuasive means to induce them to do so.

If the effort of the Department for this purpose should be unsuccessful, Mr Robertson would have a good claim against the Government for indemnification? which would have to be settled by negotiation?

In regard to the two negroes, if it be found that they were the property of Mr Robertson? and that they were brought from Texas by United States Indians, considering them as captives, the 33rd article of the Treaty with Mexico, would require them to be restored.

The 4th Article of April 20th 1818. also provides that it shall not be lawful to import or to bring in any manner whatever into the United States or territories thereof, from any foreign Kingdom place or country, any negro, mulatto, or person of color, with intent to hold, sell or dispose of any such negro &c, as a slave, or to be held to service or labor" and that of any persons or person whatsoever, shall, after the passage of this act, bring into, or cause to be brought into, or aid or assist in bringing into the United States, in any manner whatsoever, any or

or be in any wise aiding or abetting therein, every person so offending shall on conviction thereof, by due course of law, forfeit and pay for every such offence a sum not exceeding less nor more than one thousand dollars." — It further provides that if any person, whatever, shall hold, purchase, sell or otherwise dispose of any negro &c. as a slave or to be held to service or labor, who shall have been imported, or brought in any way, from any foreign kingdom, place or country, or from the dominion of any foreign State immediately adjoining to the United States, in any part or place within the jurisdiction of the United States, every person so offending, and every one aiding and abetting therein, shall forfeit and pay for every negro &c. the sum of one thousand dollars."

Under the provisions of this act, if the negroes belong to Mr. Robertson, whether they were captured by our Indians or not, unless they are fugitives, they would have to be given up, and those who brought them into the country and now hold them, would be liable to be prosecuted, and to the penalty prescribed by the act.

Mr. Amory also enquired what has been the result of the measures proposed to be taken to procure indemnity in the cases presented to the Secretary of State on the 15th of December last, and by him to this Department in January.

As already stated no reports have yet been received from the agents (Armstrong & Pelcher) to whom the matter was committed, in consequence of their absence from their agencies the greater part of the time since the instructions were given to them.

Mr. Amory also says he is instructed to express the deep regret and disappointment felt by his Government at the failure of that of the United States to adopt effectual measures to restrain United States Indians from making excursions into Texas, many of whom, notwithstanding the Treaty obligation of the United States, are daily murdering and robbing the citizens of Texas, and which nothing but an armed force in the opinion of the Government of Texas, that of the United States should pursue, to co operate with the forces of the former"

This abstract shows this complaint to be entirely groundless.

(† can prevent; a considerable portion at least of such forces—

Department of War
Oct 1st 1841.

Sir:

I transmit for the information of the Chargé d affaires of Texas an extract from a communication received at this Department from an authentic source, in relation to a contemplated attack upon Texas by the Comanche Indians.

These Indians are not regarded as belonging to the United States, they reside principally upon the territory of Mexico, and range backwards and forwards between that country and Texas, though they are frequently within our limits.

It is not apprehended by this Department, that they will succeed in inducing any of our Indians to join in hostilities or depredations upon the inhabitants of Texas, but the instructions to the proper officers and agents to be vigilant; and to guard at all times against such a result, which were reiterated but a short time since, will again be repeated, and they will be directed also to make every effort in their power so far as they can reach and influence the Comanches to prevent them from making their contemplated attack. — Albert H Lee

Extract from a letter at the Department of War dated Westpoint, Jackson County, Missouri, Septemr 11th 1841.

"The Osages are returning from their Buffalo hunt, reported that they had been invited by the Comanches to join them with 500 men in a contemplated break upon the white settlements of Texas.— They say they did not agree to do so.

They also state that the Comanches had made a similar request of other tribes north and west of them, towards and among the mountains, and this latter report is confirmed by some of our own citizens, who have recently returned from Santa fé.

The Osages brought with them a Spanish woman, whom the Comanches had taken prisoner in Mexico, and a little girl of about six or seven years of age, fair skined, whom they say the Comanches captivated in the white settlements in Texas."

Mr Amory to Mr Webster—

Legation of Texas
Washington Octr 12th 1841.

The undersigned Secretary of Legation, in the absence of Mr Bee Chargé d'affaires of Texas, has the honor to acknowledge the receipt of a communication under date of the 7th inst. from Mr Fletcher Webster acting Secretary of State of the United States, enclosing another from Mr Bee Secretary of War of the United States with an abstract on the subject of Indians relations between the two Countries.

The conclusion drawn by the Secretary of War from the papers which he submits, is, that there has been little or no ground for the complaint made by Texas at various times against the incursions and acts of United States Indians; this opinion it seems is founded on the reports of different agents of the United States, supposed to have been near the places where the murders and depredations are alledged to have been committed, and who considered the United States Indians residing some years in Texas as having lost their Original Character as such and to have become Indians of Texas

The Secretary of War of the United States in his communication admits the justice of the claim of Texas upon the United States for indemnity in virtue of the thirty third article of the treaty of the fifth april one thousand eight hundred and thirty one, between Mexico and the United States, for depredations committed by Indians of the latter Country, but disavows any obligation of the United States to interfere with Indians migrating from the United States to Texas, unless such Indians manifest a hostile intent.

Although this avowal of a readiness to indemnify for injuries, is, so far as concerns the interests of individuals of Texas that have been sufferers by Indian depredations, a manifestation of justice and will be when realized a consolation for their pecuniary loses, it is but little satisfactory to the mass of the people who are daily in apprehension of other wrongs and injuries which no concession or indemnity can appease.

It is for this reason that Texas through its representative here has so frequently urged upon the Government of the United States the importance of stationing a sufficient force upon the frontiers to save the relying Texans from the repetition of the murders, and assaults, which Indians of the United States have so repeatedly been engaged in.—

The indemnity spoken of by the United States Government alludes to past wrongs, but the object of Texas is the prevention for the future.— It is not the intention of the undersigned to enter into a discussion of the statement presented by the agent of the United States to contradict or diminish the influence of the facts as exhibited in the declaration of complaining sufferers in Texas, as full confidence is felt that the Government of the United States, will put more reliance upon the action of those whose only object in complaining was to prevent a recurrence of the wrongs, than in the mere report of distant agents of the United States whose only contradiction consits in negative declarations.—

That Cherokees, Kickapoos, Delewares, Pottawatamies, Choctaws, Shawnees, Caddoes, &c &c, migrating from the United States to Texas, did afterwards not only manifest a hostiles intent but actually commit hostilities upon Texas, the current history of that country amply manifest. nor can it be made to appear that the passing of such Indians from one country to the other, changed their character as United States Indians or released the United from their obligations to restrain them so long as they conducted themselves in a friendly manner, they were suffered to remain unmolested, and when demeanour was observed, urgent appeals to the United States were made to interfere, and the force of Texas then employed to expel them, many found their way back into the United States as shewn in the communication referred to of Mr Bell the Secretary of War, though this migration of Indians was only to recruit their strength and enable them to return to Texas with increased numbers and animosity drawn from their tribes within the United States.

As the Government of the United States still keeps the question of proof of the wrongs refused to open, and upon that account declines admitting to their full extent the justice of the complaints of Indian aggressions, the undersigned will advise his Government of the position in which this matter now stands, so that the most irrefragable evidence may be furnished in confirmation of what has heretofore been presented through the Legation to the United States on that subject.. In the mean time in order to prevent a recurrence of assaults upon the Citizens of Texas by the Indians of the United States. The Undersigned respectfully request that such a force be stationed in the vicinity of our borders as will at allay the fears of our peaceable people.

The undersigned has the honor to offer to Mr Webster acting Secretary of State of the United States assurances of his high consideration.

To
The Hon Fletcher Webster
acting Secy of State &c.

(Signed) Nathaniel Amory

Mr Bee to Mr Brewer.

Legation of Texas
Washington Septem 23rd 1841

To
Mr John H Brewer
Consul for Texas &c &c

Sir. I am advised through a source to be entirely relied upon that Santa Anna of Mexico has despatched an agent from that country, Don Tomas Marin with $35.000 in gold to purchase and equip at New York two armed vessels.

The object as avowed for this purchase is to use the force against the federalist at and near Yucatan and Tobasco. — As however it may be employed against Texas or her commerce, and at any rate it may in the opinion of our Government be necessary or useful to its interests to capture those Vessels, you are hereby requested to observe the operations of that agent in this particular from time to time, and ascertain as near as may be, his public movements from place to place.. He is now living at the Globe Hotel New York.

You are also instructed to loose no time in communicating what you may learn about the actual equipment of such Vessels to the collector at Galveston, desiring him to apprize the Secretary of the Navy of Texas of the facts you may make known. You are further requested to advise this Legation of whatever transpires about the fitting out of said Vessels and the particulars as to their force and rolls of equipage.— You will of course see the propriety of keeping the subject of this communication entirely private.

I have the honor to be &c

(signed) Barnard E Bee

Mr Brower to Mr Bee

Consulate of Texas
New York, Octr 2nd 1841.

Hon Barnard E Bee
Chargé d' affaires of Texas.

Sir:— Refering to my respects of 23rd Ult, I have now to advise you that Yesterday I visited several of our Ship yards, and found at one of them the Keels laid for two Brigs, and the frame being raised of one of them, which a workman with whom I casually conversed, said were intended for the Mexican Government; but I could not learn from him who the parties are contracting with the builders. You will readily perceive that I must prosecute my enquiries upon this subject with great caution, being extensively known, so that my curiosity shall not be identified with my official station. To avoid this, I must endeavour to procure some confidential aid to further this inquiry. It seems to me to be essential to know for whom these vessels are being built, and when and where the builders are to deliver them, for instance the contract may be to deliver them in Mexico, in which case they would probably clear from here with American papers, and an American Crew, and be american property until safe arrived at the port of destination, when the change of property and papers would occur. It seems to me this will most likely be the course.

I would be happy to have such further suggestions from you, as you may think useful in this matter. — I think from my own casual observation, the Vessels will be about 200 to 250 tons each.

I have the honor to be
Your Very Obt Servt
(signed) J. A. Brower

Mr Amory to Mr Brower

Mr John A Brower
Consul for Texas &c.

Sir; I have to acknowledge receipt of yours of 2nd Inst, in relation to vessels building for Mexico at New Y.

Your continued vililance in the matter is strongly recommended, and that you keep the Collector of Galveston apprised of the pro-

in their construction &c. acquainting him, you do so by desire of this Legation

Respectfully, your &c

N Amory
Secy of Legation

P.S. Col Bee left here for Texas on the third inst. — —

Legation of Texas
Rue Richelieu 36

Paris, Septemb 8th 1841.

To the Honorable the Secretary of State
of the Republic of Texas.

Sir,

I received your dispatch of the 19th of May on the 1st of July, instructing me to lay before the Government of His Majesty the King of the French the improper conduct of Mr. Saligny and to request his recall. — In obedience to those instructions, I addressed on the fourth of July the following communication to M. Guizot the Minister of Foreign Affairs. You will perceive that in this communication I adhered not only to the spirit, but as far as possible to the letter of my instructions.

(For letter referred to see page 544)

With the above letter I sent to M. Guizot a copy of all the correspondence and documents which accompanied your letter of instructions. — Having waited more than a month without receiving any reply, I on the 12th of August addressed to M. Guizot the following note

August 12th 1841.

The undersigned Charge d' affaires of the Republic of Texas begs leave to call the attention of his Excellency M. Guizot, Minister of Foreign Affairs, to the letter which he had the honor of addressing to him on the 4th of July last. The undersigned hopes that the interest which his Govt. feels in the subject to which that letter refers will be deemed a sufficient excuse for calling it to his recollection, and for respectfully soliciting an early response.

The undersigned H. M.

(Signed) Geo. S. McIntosh.

At length on the 20th august, I received an answer of which the following is a copy.

(M. Guizot's reply, translated by H. J Jewett Esq.)

Paris, August 18th 1841.

Sir,

I have the honor to reply to the letter which you addressed to me, on the 4th of last month, and in which enumerating a series of injuries imputed by your Government to Mr. Dubois de Saligny, you announce that you have received an order to demand his recall.

Mr. Saligny had already given me an account of the grievous quarrels which, notwithstanding all his efforts to prevent, have broken out, between him and the Government of the Republic. Although the reports which he should have addressed to me on the subject, have not all arrived, those which I have received, and the attention as well as impartial examination that I have devoted to this affair, have

sufficed, Sir to convince me that aside from the vague accusations and generally unsupported by proof, of which he is the subject, Mr. Saligny has unfortunately to make against your Government complaints as grave, as they are legitimate. I have seen with painful surprise that the Representative of France in Texas, when the object of the insults and brutalities of a pitiful fellow (miserable) has in vain demanded, several times, that the Texian Govt should take measures to cause the inviolability of his person and character to be respected; I have not learned with less surprise, that the individual who made a effort of outraging him, having been brought to justice for the attacks committed against one of the Domestics of Mr. de Saligny with the avowed intention of continuing to insult this Charge d'affaires, in the persons of his household, had found a Minister of the Republic so little penetrated with the sentiment of propriety, so forgetful of the duties of his station, as to make himself the protector of the guilty, to become his bail, and to seek to circumvent his Judges. I have seen further, that when in the last instance, Mr. Dubois de Saligny, publickly insulted and maltreated by the man whom a scandalous impunity emboldened, the Representative of France, instead of the immediate reparation which was due to him, instead of a disapprobation openly and formally expressed, has only obtained such an unbecoming reply, that he found himself under the necessity of declaring that he discontinued all official intercourse with a Government, which did not regard it as its first duty to cause the Foreign Agents accredited to it, to be respected. And how could it have been expected, in effect, if it is true, that another Minister of the Republic, the same who had already constituted himself the protector of Mr. Bullock, should have publicly applauded the attack of this individual, expressing his regret only, that it had not gone as far as murder!

Finally, Sir, as if all the principles consecrated among nations, had not been already sufficiently forgotten in this deplorable affair, I see the Secretary of State of Texas taking occasion of the communication by which Mr. de Saligny had notified him of the cessation of official intercourse with the Cabinet at Austin, to declare him divested ipso facto of all the rights of diplomatic immunity and inviolability which it ought to have assured to him; thus legalizing in advance, so to speak, new outrages and new violences which a furious man might venture to commit against the Charge d'Affaires of the King. Thus Mr Dubois de Saligny, finding no longer at Austin, on the part of a Government which called itself the Friend of France neither the safety nor the respect to which he had a right, saw himself obliged to quit that city and the territory of the Republic.

In view of such facts the Government of the King can only see in the conduct observed to Mr. De Saligny, in the strange proceedings of which he has been the object, a flagrant violation of all the rules of international law, a want of regard towards France, which was the first among the States of Europe, to recognize the new Republic of Texas, and which since that time has not ceased to give it proofs of its benevolent sympathy. It is therefore, that far from admitting the imputations cast against Mr. De Saligny — imputations vague, destitute of proof, and devoid of all probability, the Govt. of the King considers itself on the contrary to be undeservedly injured in the person of this Agent, and reserves itself to prosecute from your Govt. the just reparation to which it has a right.

Receive, Sir, the assurance of the very distinguished consideration with which I have the honor to be your very humble and very Obedient Servant,

(Signed)

Guizot.

To this communication I made the following reply.

September 3d. 1841.

The undersigned Charge d'affaires for the Republic of Texas has the honor to acknowledge the receipt of the Letter of his Excellency the Minister of Foreign Affairs of His Majesty the King of the French, of the 18th of August in reply to his communication of the 4th inst.

The undersigned regrets that the view taken by M. Guizot of the subject matter of that communication should be so much at variance to those entertained by his Government. That actual his Government charge as specific fails against Mr. Saligny, should be looked upon by M. Guizot as imputations vague and without proof. He still more regrets that M. Guizot should have regarded the fact of Mr Saligny's being insulted by a private individual in a private dispute, and the punishment of that offence in the only way known to the laws of Texas, as a violation on the part of the Government of Texas of the laws of nations, and a want of respect and good feeling towards France. In making the communication of the 4th of July, the undersigned but fulfilled a duty imposed upon him by his Government, and having no facts to bring forward in addition to those contained in that communication, he can only refer the matter to his Government for such further instructions as they may think proper to give him.

The undersigned avails himself &c. &c.

(Signed) Geo. S. McIntosh.

Although there are several parts of M. Guizot's letter which might be answered without difficulty, I concluded after mature reflection to reply in the above short and general manner, rather than continue a discussion which could be productive of no possible good, inasmuch as the mind of the Government here are evidently made up upon the subject, they receiving it doubtless through the medium of Mr. Saligny's communications, and would only tend to increase the bad feeling already existing on the subject. — I await therefore your further instructions.

I should have stated that before the receipt of M. Guizot's reply, I saw a report in the French Journals of the day, intimating that a Squadron had been ordered to the Coast of Texas, in consequence of the above difficulty. I went immediately to demand the truth or falsehood of the report, but met Genl. Cass the American Minister at the porte of the Foreign Office who informed me that he had just seen M. Guizot on the subject, who assured him that it was false.

Genl. Hamilton is at this time in London. He has not succeeded in negotiating the loan, and I fear his chance of success is a bad one. He doubtless however keeps you advised of his proceedings.

Inclosed is an application to the President for the Consulship at Bordeaux.

Mr The Father is a gentleman of high standing and the son is highly recommended.

I have the honor to be, Sir,

Your most ob. humble Sr

Geo. S. McIntosh.

Austin, Decr 11th 1841.

Hon. Samuel A. Roberts,

Secretary of State.

Sir,

In conformity with instructions received from your Department, I have the honor herewith to inform you of the proceedings which have been had on the two Indictments preferred against Mr. Richard Bullock of this city, for an assault upon the servant of the French Minister, Mons. De Saligny, and for an assault upon the person of Mr. De Saligny himself.

The District Court for this County (Travis) commenced its regular session this week, the Hon. R. E. B. Baylor presiding. On calling the criminal Docket, I announced myself ready to proceed with the prosecution against Mr. Bullock, and required him to be put upon his trial. Mr. Bullock appeared and filed affidavits for a continuance of the cause. The affidavits shewing the absence of witnesses material to his defence, and being

in other particulars conformable to law, were duly considered by the court, and it was ordered that the case be continued till the next term of court. The final decision of the case is therefore postponed until that time. In procuring this postponement Mr. Bullock only availed himself of a privilege guaranteed to every citizen of the Republic in like cases, by our Constitution and Laws. I was not invested with any authority under the circumstances, to enforce a trial at the present term of the court.

Mr. Bullock was ordered to enter into bonds for his appearance at the ensuing term, with which order he has complied, and adequate security was given. The witnesses for the Republic were also recognized, in sufficient sums for their appearance at the same time.

I have the honor to be
Your obt. Servt.
Henry J. Jewett
Dist. Atty. 3d Jud. Dist.

Paris, November 1. 1841.

Sir,

You have doubtless ere this been apprized by Genl. Hamilton of his hitherto failure to negotiate a loan for the Republic of Texas. I received a few days since a letter from him (he is now in London) in which he states that he has not succeeded in doing any thing, and that he was preparing to return to America on the 19th of this month. I received some six or eight months ago authority from our Government to draw upon him for whatever might be due to me for my salary, and I have accordingly been waiting month after month confidently anticipating his eventual success; but his failure has thrown me into a most painful state of pecuniary embarrassment. Knowing the difficulties under which our Govt. are at present laboring, it is I assure you with the greatest reluctance that I bring forward the subject, even they will do me the justice to acknowledge that hitherto I have not been forward in pressing my claims... Nothing but the most imperative necessity could induce me to do so now; but I am at this moment positively and entirely destitute of funds; and as it is impossible to live here upon credit, I declare to you that I hardly know what arrangements I can make until the receipt of your reply to this.. Under these circumstances I trust that no time will be lost in adopting some measure for my relief. The amount due me by the Government is between seven and eight thousand dollars. In case there should be no funds obtainable at the disposal of the Government, if you would send me Land Scrip, I would endeavor to dispose of it at a fair price. I mention this as a dernier resort, for something must be done to preserve not only my own but the credit of our Government.

Resting in confidence that the above will receive your earliest attention.

I am, Sir, with great respect,
Your most obt. Servt.
Geo. A. McIntosh

The Honorable
Secretary of State
Republic of Texas.

588.

London Nov.r 3.d 1841

Sir,

I am under the necessity of troubling you with a matter, which though in some degree of a personal character will I venture to hope receive your kind attention.

My Father, Mr I Iken, has been, as you may have possibly heard, involved in certain claims for land in Texas, arising out of his unfortunate connexion with Judge Woodward — and which claims he, of course, cannot satisfy until he has fulfilled the terms of his grant of land from the Texian Congress.

The parties interested are not however reasonable enough to admit this. The whole matter has been therefore fully laid before the Texian Minister, General Hamilton; but has promised and <u>accepted</u> arbitration, they leave, as you will see by the enclosed letter, evaded.

Their motive for this is I have now reason to believe, in order to address the Texian Congress with their own <u>ex parte</u> account of the transactions I allude to; with the view of obtaining a "relief" to which they have no title, from the Texian Congress.

My request therefore is, that you will do my Father the justice and the great kindness, should the question come before Congress, or be otherwise moved, to make known the contents of the accompanying letter which will at any rate suffice to expose the unjustifiable mode of proceeding that has been adopted. With all the details of this matter it will be unnecessary for me to trouble you on this occasion,— but being intimately acquainted with every circumstance,— I can pledge myself to answer satisfactorily every injurious statement or representation that may be made.

The object of the parties being nothing less than a plot to injure an absent individual, I feel confident that I shall not have claimed your protection in vain.

I have the honor to be, Sir,
with great respect,
Your mo. ob.t. hble. Serv.t
Arthur Iken

P. S. Messrs. Woodcock & Holmes are, I have reason to believe, the persons by whom this attack is to be conducted in Texas.

A. I.

To the Hon
The Secretary of State
Austin, Texas

P. T. O.

I should have mentioned that General Hamilton has been made acquainted with every circumstance connected with my father's transactions with Woodward, and with these individuals — and also with the written representations by which I obtained the grant from Congress — which from the vague wording of the act, the said parties would make it appear they had an interest in: whereas I obtained it for my father by agreeing to give up his claim on the Government of Texas for a shipment he had made the army in 1836. The compensation of these parties was of the act, he always intended — but that was a matter of which Congress took no cognizance. The object was not to compensate others — but to compensate my father and to <u>enable him</u> to compensate others. I sincerely trust these parties will obtain nothing from Congress without Genl. H. being first consulted.

London Nov 3d. 1841.

Dear Sir,

I feel no hesitation in stating for your use in any way you think proper the following facts.

Messrs Holmes, Holliday Woodcock and others and your self having amicably submitted any arbitration on certain differences which had arisen between the said parties originating in claims on Mr. Ikin connected with the land purchased by him of Judge Woodward and with the recent grant made Mr Ikin by the Texan Congress, after a full investigation of the matter at the solicitation of all the parties, I consented to arbitrate the same.... That some delay arose first from Mr. Ikin expressing that he might by the terms of the submission have to make the parties a compensation in money and not land, and before this could be adjusted Mr. Ikin had to leave for the Continent under an understanding that I would decide the case on Oct. On Mr. Ikin's return he signified his willingness to sign the submission but unfortunately I was under the necessity for business of the Govt. of Texas to go to Belgium where I was detained until the 26th Oct. On my applying, on my return, at Mr. Amory's office the Solicitor of the parties under an assurance of Mr. Ikin that he was willing to sign the submission and to be bound by my decision I learnt to my surprize from Mr Amory that Messrs Holmes, Holliday, Woodcock and others had refused to sign the submission on the ground of the delay which I consider in reference to my own absence, Mr. Ikin was in no degree responsible for.

In Justice to Mr. Ikin I must say that there was no refusal on his part and that he has uniformly expressed his desire to satisfy the parties so soon as the fulfillment of his grant should enable him.

I remain, with esteem,
Very respectfully
Your Obt. Servt.
A. Hamilton.

Arthur Ikin Esq.

(Confidential) London Nov 3d. 1841.

Sir,

Referring you to a letter I have addressed this day, to the Secretary of the Treasury, in reference to my financial, I beg leave to devide your attention to my diplomatic negotiations.

I take the occasion to inform you, that it is highly probable, from the arrangements I have made with the Belgian Government, our relations with that Country will become intimate and of a highly profitable character.

In this state of things, it becomes important that Texas should be cautious how she enters into the complications and commitments of the Mexican Republics, by taking sides with either of the parties.— Such a course would I fear prevent my completing any beneficial compact with Belgium, the basis of which I may now have formed. I do not pretend at this distance to express any opinion, on the policy of such an alliance, I only speak of its consequences in Europe which would be destructive of the public credit.— Whether the Federalists, or Centralists of Mexico, are to be united, or whether those who you might help might turn upon you in the hour of good fortune, and whether in the recess limits of your own territorial locality the best interests of Texas is not be consulted by standing on the defensive, and nourishing her resources, are questions I am sure, which Mr. Van Ness will be competent to decide them than myself, however by considered.

I would withdraw privately, again the expediency of and sending the convention for the suppression of the African Slave Trade, to the Senate, until my arrival. There are several considerations of policy which concur to make this eminently expedient. As I shall have to return to Europe, with the Belgian Commission in March, I desire without Salary or emolument, to retain my Commission as Plenipotentiary to the Court of St. James, until I have exchanged the ratifications of my Treaties with G. B. and closed my negotiations with Belgium.

I have the honor to remain.

very Respectfully

Yr. obt.

A. Hamilton.

The Hon.

The Secretary of State

&c &c &c.

Legation of the United States

Austin City, December 17th 1841.

The Hon. Anson Jones,

Secretary of State

of the Republic of Texas.

Sir,

The undersigned, charge d'affaires of the united states to the Republic of Texas, has the honor to acknowledge the receipt of yours of the 16th inst., informing him that the new administration of the Republic of Texas commenced its operations on the 13th inst. with the following Officers, viz:

Sam Houston	President
Edward Burleson	Vice President
Anson Jones	Secretary of State.
George W Hockley	Secretary of War and Navy.

I shall not fail to inform my Government of the kind feelings which the President has expressed, through you, and ask of you to assure the President that the Government and People of the United States feel great solicitude for the peace, prosperity and happiness of Texas, and that they are anxious to maintain, cherish and increase the kind and friendly intercourse which has heretofore existed between the two Republics.

I will pleasure accept your kind offer to accompany me to the Presidents room, and will call at the State Department to-day half past eleven o'clock A. M.

Accept for yourself assurances of my high regard and consideration.

Joseph Eve.

Legation of the United States
Austin City, December 20th 1841.

The Hon. Anson Jones,
Secretary of State
of the Republic of Texas,

Sir,

The undersigned, charge d'affaires of the United States, has the honor to enclose to you a copy of a letter, from Innes Wolf chief commissioner of the Chickasaw Indians Col: A. A Mc. Upshaw, marked "A", a letter from Col: Upshaw to Capt. Geo A. Allen, marked "B."; and a letter from A. C. Spencer, Secretary of War for the United States, to Mr. Webster, secretary of State, marked "C", complaining of depredations upon the Indians located and domiciled in the United States.

I am instructed by the Government of the United States to request your Government to cause an enquiry to be made into this business, and the authors of the attack to be suitably punished if it should have been made as represented, and that the Government of the United States expects that sufficient means will be employed to guard against a repetition of such proceedings.

The Government of the United States has the disposition to restrain the Indians from committing any trespass upon the citizens of Texas, but from the roving and revengeful character of the Indians, it will be very difficult to do so unless the citizens of Texas are restrained from croping the line, and trespasing upon the Indians.

It will be almost impossible to preserve that kind feeling and friendly intercourse which so happily exists between the Government of the United States and Texas, and which it is the interest and wish of each to cherish, unless each will use every effort on their power to restrain their citizens from trespasing upon the rights of the citizens of the other.

With renewed assurances of my highest regard and esteem,
I have the honor to be,
Your Obt. Servt.
Joseph Eve.

"A."

Camped on Boggy.
August 27th 1841.

Col: A. A. Mc. Upshaw,
Friend and brother,

We have lately learned with feelings of regret that a party of Texians, numbering about one hundred men, crossed Red River, above the mouth of Washita, and were making war on every one they might find; as it is the hunting ground of the Chickasaws, and where several of them are settled, and on their own land they sincerely hope that you will endeavor to put a stop to it. And it is a well fact, and one that the Texians will not deny, that about four weeks ago a party crossed Red River, near Mr. Edwards Cobeil's place, killed several of them and pillaged their camps of every thing of value.

One of the Texian men, and t[illegible]

the party, was a Mr. Houston that formerly lived with Maj. James Colbert. Their things should not be, for it will oblige an hostile retaliate, and we would rather have peace than otherwise. We cannot but hope that you will so represent the matter to the Texian Government as will prevent a recurrence of the same hereafter.

Your Friend and Brother,
James Wolf, Com.
of the Chickasaws.

(Signed)

"B."

Chickasaw Agency, near Fort Towson,
August 31st 1841.

Sir,

I send you herewith a copy of a letter from Col. James Wolf, one of the Chiefs and Commissioners of the Chickasaw Tribe of Indians, relative to depredations committed on his District by citizens of the Republic of Texas.

I am in hopes that some measures will be taken to protect the lives and property of the Chickasaws on the Washita. Mr. David Wall arrived here since I commenced this letter, and informed me that some thirty Texians crossed Red River a few days since, and committed depredations upon the property of Tandia, a Chickasaw.

Very respectfully,
your mo ob. Serv.
A. A. Mc. Upshaw C. A.

(Signed)

To Capt Geo. A. Allen
Comm'g. Fort Towson.

"C."

Department of War,
October 16th 1841.

Sir,

The enclosed copies of a communication from Col. A. Mc. Mc. Upshaw and of one from James Wolf, contain information of depredations committed by citizens of Texas against certain Chickasaws living near the border of that Republic, which it is important to submit to your consideration.

The military commanders and Indian Agent, near the scene of these outrages, have been instructed to enquire more particularly into all the facts connected therewith, and copies of their report will be transmitted to your Department as soon as received.

Very Respectfully
your ob. Serv.
John C. Spencer.

Hon. Daniel Webster,
Secretary of State.